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ALASKA OMNIBUS BILL



HEARINGS
BEFORE THE
SUBCOMMITTEE ON
TERRITORIAL AND INSULAR AFFAIRS
OF THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH CONGRESS
FIRST SESSION

ON
H.R. 6091, H.R. 6109, and H.R. 6112
TO AMEND CERTAIN LAWS OF THE UNITED STATES IN
LIGHT OF THE ADMISSION OF THE STATE OF
ALASKA INTO THE UNION, AND FOR OTHER
PURPOSES

MAY 4 AND 5, 1959

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ALASKA OMNIBUS BILL

MONDAY, MAY 4, 1959

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON TERRITORIAL AND INSULAR AFFAIRS,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met at 10:05 a.m., pursuant to call, in the committee room, New House Office Building, Hon. Leo W. O'Brien, chairman of the subcommittee, presiding.

Mr. O'BRIEN. The Subcommittee on Territorial and Insular Affairs will be in order for the consideration of H.R. 6091, by Mr. Aspinall; H.R. 6109 by the chairman of this subcommittee; and H.R. 6112, by Mr. Saylor of Pennsylvania.

In view of the fact that all three bills are identical, without objection, H.R. 6091, by Mr. Aspinall, will be printed in the record at this point, with reference to the other two bills, along with the executive communication requesting this legislation. There will also be printed in the record, at this point, Mr. Witmer's memorandum regarding 6091 and companion bills, which memorandum consists of statements by chairmen of other House committees, who were asked concerning the question of whether the bill covers matters which, if they were treated in separate pieces of legislation, would fall within the jurisdiction of those other committees.

We also have a sectional analysis of the bill 6091, which I understand has been referred to all the departments concerned and has their approval. Without objection, the sectional analysis will be made a part of the record at this point.

(H.R. 6091 and documents referred to follow:)

[H.R. 6091, 86th Cong., 1st sess.]

A BILL To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Omnibus Act".

FEDERAL JURISDICTION

SEC. 2. Section 4 of the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, is amended by striking out the words "all such lands or other property, belonging to the United States or which may belong to said natives", and inserting in lieu thereof the words "all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives".

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

SEC. 3. Any Territorial law, as that term is defined in section 8(d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union—

ALASKA OMNIBUS BILL

(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

(b) the application of which to the State of Alaska is continued solely by reason of such section 8(d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the Legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

SUGAR ACT

SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection "(o)" and to read as follows:

"(o) The term 'continental United States' means the forty-nine States and the District of Columbia."

SOIL BANK ACT

SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C., supp. V, sec. 1837), is amended to read as follows: "This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term 'State' includes Hawaii, Puerto Rico, and the Virgin Islands."

ARMED FORCES

SEC. 6. (a) Title 10, United States Code, section 101(2), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii".

(b) Title 10, United States Code, sections 802(11) and 802(12), are each amended by striking out the words "that part of Alaska east of longitude 172 degrees west,".

(c) Title 10, United States Code, section 2662(c), is amended by striking out the word "Alaska,".

NATIONAL BANK ACT

SEC. 7. Section 5192 of the Revised Statutes, as amended (12 U.S.C. 144) is further amended by striking out the words "in Alaska or".

FEDERAL RESERVE ACT

SEC. 8. (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C. 221), is further amended by deleting the period at the end of such section and inserting in lieu thereof the following: "; the term 'the continental United States' means the States of the United States and the District of Columbia."

(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C. 466), is further amended by striking the words "in Alaska or".

HOME LOAN BANK BOARD

SEC. 9. (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1422(3)), is further amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii".

(b) Section 7 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1466), is further amended by striking out the words "continental United States, to the Territories of Alaska and Hawaii" and inserting thereof the words "continental United States (including Alaska), to the Territory of Hawaii".

NATIONAL HOUSING ACT

SEC. 10. The National Housing Act is amended by—

(a) striking out the word "Alaska," in sections 9, 201(d), 207(a)(7), 601(d), 713(q), and 801(g) (12 U.S.C., secs. 1706d, 1707(d), 1713(a)(7), 1736(d), 1747 1(q); supp. V, sec. 1748(g));

(b) striking out the words "the Territory of Alaska," in section 207(c)(2) (12 U.S.C., supp. V, sec. 1713(c)(2)), and inserting the word "Alaska" in lieu thereof;

(c) striking out the words "the Territory of Alaska or in Guam" in section 214 (12 U.S.C., supp. V, sec. 1715d, 48 U.S.C., supp. V, sec. 484d), and inserting the words "Alaska, Guam," in lieu thereof; and

(d) striking out the word "Territory" in the two places where it appears in section 806 (12 U.S.C., supp. V, sec. 1748e), inserting the word "State" in lieu thereof.

COAST GUARD

SEC. 11. Title 14, United States Code, section 634(b), is amended by striking out the words "and for the territory of" in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

SEC. 12. (a) Paragraph (6) of section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b(6)), is further amended by striking out the word "Alaska,".

(b) Paragraph (16) of section 3(a) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c(a) (16)), is further amended by striking out the word "Alaska,".

(c) Paragraph (18) of section 202(a) of the Investment Advisers Act of 1940, as amended (15 U.S.C. 80b-2(a) (18)), is further amended by striking out the word "Alaska,".

(d) Paragraph (37) of section 2(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-2(a) (37)), is further amended by striking out the word "Alaska,".

(e) Paragraph (1) of section 6(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-6(a) (1)), is further amended by striking out the word "Alaska,".

SOIL CONSERVATION

SEC. 13. (a) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C., supp. V, sec. 590h(b)), is further amended by inserting, immediately following the words "continental United States", the words ", except in Alaska".

(b) Section 17(a) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590q(a)), is further amended by striking out the words "the United States, the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "the States, the Territory of Hawaii", and by striking out the word "Alaska" the second time it appears therein.

BALD EAGLES

SEC. 14. Section 1 of the Act of June 8, 1940 (16 U.S.C. 668), is amended by striking out the words "except the Territory of Alaska,".

WILDLIFE RESTORATION

SEC. 15. Section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

FISH RESTORATION

SEC. 16. Section 12 of the Act of August 9, 1950, as amended (16 U.S.C., supp. V, sec. 777k), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

CRIMINAL CODE

SEC. 17. (a) Title 18, United States Code, section 5024, is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act

of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

EDUCATION

SEC. 18. (a) (1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out "Alaska," each time it appears.

(2) Paragraph (3) (B) of section 302(a) of such Act (72 Stat. 1580, 1588), relating to definition of continental United States for purposes of allotments for science, mathematics and modern foreign language instruction equipment, is amended by striking out "does not include Alaska" and inserting in lieu thereof "includes Alaska".

(3) Section 1008 of such Act (72 Stat. 1580, 1605), relating to allotments to Territories, is amended by striking out "Alaska,".

(b) (1) Section 4 of the Act of February 23, 1917 (20 U.S.C. 14), relating to allotments for teacher-training, is amended by striking out "\$90,000" and inserting in lieu thereof "\$98,500". The proviso in the last paragraph of section 5 of such Act (20 U.S.C. 16) and so much of section 12 of such Act (20 U.S.C. 22) as follows the last semicolon shall not be applicable to Alaska prior to the third fiscal year which begins after the enactment of this Act.

(2) Paragraph (1) of section 2 of the Vocational Education Act of 1946 (20 U.S.C. 151), relating to definition of States and Territories, is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(3) Subsection (e) of section 210 (20 U.S.C., supp. V, sec. 15jj(e)), and subsection (a) of section 307 of such Act (72 Stat. 1580, 1600), relating to definition of State, are each amended by striking out "Alaska,".

(c) Paragraph (13) of section 15 of the Act of September 23, 1950, as amended (72 Stat. 548, 558), relating to definition of State, is amended by striking out "Alaska,".

(d) (1) The material in the parentheses in the first sentence of subsection (d) of section 3 of the Act of September 30, 1950, as amended, relating to determination of local contribution rate, is amended to read: "(other than a local educational agency in Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency)".

(2) The fourth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the first time it appears in such sentence. The fifth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the second time it appears in such sentence.

(3) The last sentence of such subsection is amended by striking out "Alaska," and by inserting after "the Virgin Islands," the following: "or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency,".

(4) Paragraph (8) of section 9 of such Act (20 U.S.C., supp. V, sec. 244(8)), relating to definition of State, is amended by striking out "Alaska,".

IMPORTATION OF MILK AND CREAM

SEC. 19. Subsection (b) of section 9 of the Act of February 15, 1927 (21 U.S.C., sec. 149(b)), is amended by inserting the words ", including Alaska" immediately following the words "continental United States".

OPIUM POPPY CONTROL

SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C., sec. 188k), is amended by deleting therefrom the words "the Territory of Alaska,".

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the

activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 40 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

(b) Notwithstanding any other provision of this section, any contract entered into by the Federal Government in connection with the activities of the Bureau of Public Roads in Alaska which has not been completed on the date of the transfer provided under subsection (a) hereof may be completed according to the terms thereof.

(c)(1) The State of Alaska shall be responsible for the maintenance of roads, including bridges, tunnels, and ferries, transferred to it under subsection (a) of this section, as long as any such road is needed for highway purposes.

(2) Federal-aid funds apportioned to Alaska under title 23, United States Code, for fiscal year 1960 and prior fiscal years, and unobligated on the date of enactment of this Act, may be used for maintenance of highways on the Federal-aid systems in Alaska.

(d) Effective July 1, 1959, the following provisions of law are repealed:

(1) Title 23, United States Code, section 103(f);

(2) Title 23, United States Code, section 116(d);

(3) Title 23, United States Code, section 119;

(4) Title 23, United States Code, section 120(h), except that the portion of the first sentence thereof relating to the percentage of funds to be contributed by Alaska shall continue to apply to funds apportioned to Alaska for fiscal year 1960 and prior fiscal years;

(5) Sections 107(b) and (d) of the Federal-Aid Highway Act of 1956 (70 Stat. 374, 377, 378);

(6) Section 2 of the Act of January 27, 1905 (33 Stat. 616), as amended (48 U.S.C., sec. 322 and the following); and

(7) The Act of June 30, 1932 (47 Stat. 446), as amended (48 U.S.C., sec. 321(a) and the following).

(e) Effective on July 1, 1959, the following provisions of law are amended:

(1) The definition of the term "State" in title 23, United States Code, section 101(a), is amended to read as follows: "The term 'State' means any one of the forty-nine States, the District of Columbia, Hawaii, or Puerto Rico.";

(2) Title 23, United States Code, section 104(b), is amended by deleting the phrase, "except that only one-third of the area of Alaska shall be included" where it appears in paragraphs (1) and (2) of said section 104(b);

(3) Title 23, United States Code, section 116(a), is amended by deleting the phrase "Except as provided in subsection (d) of this section," and by capitalizing the word "it" immediately following such phrase; and

(4) Title 23, United States Code, section 120(a) is amended by deleting the phrase "subsections (d) and (h)" and by inserting in lieu thereof the phrase "subsection (d)".

INTERNAL REVENUE

SEC. 22. (a) Section 2202 of the Internal Revenue Code of 1954 (relating to missionaries in foreign service), and sections 3121(e) (1), 3306(j), 4221(d) (4), and 4233(b) of such Code (each relating to a special definition of "State") are amended by striking out "Alaska,".

(b) Section 4262(c) (1) of the Internal Revenue Code of 1954 (definition of "continental United States") is amended to read as follows:

"(1) CONTINENTAL UNITED STATES.—The term 'continental United States' means the District of Columbia and the States other than Alaska."

(c) Section 4502(5) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Hawaii and Alaska" and by inserting in lieu thereof "the Territory of Hawaii".

(d) Section 4774 of the Internal Revenue Code of 1954 (relating to territorial extent of law) is amended by striking out "the Territory of Alaska".

(e) Section 7621(b) of the Internal Revenue Code of 1954 (relating to boundaries of internal revenue districts) is amended to read as follows:

"(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite into one district two or more States or a Territory and one or more States."

(f) Section 7653(d) of the Internal Revenue Code of 1954 is amended by striking out "its Territories or possessions" and inserting in lieu thereof "its possessions or the Territory of Hawaii".

(g) Section 7701(a) (9) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(h) Section 7701(a) (10) of the Internal Revenue Code of 1954 (relating to definition of State) is amended by striking out "Territories" and inserting in lieu thereof "Territory of Hawaii".

(i) The amendments contained in subsections (a) through (h) of this section shall be effective as of January 3, 1959.

COURTS

SEC. 23. (a) Title 28, United States Code, section 48, is amended by striking out the word "Seattle." and inserting in lieu thereof the words "Seattle, Anchorage."

(b) Title 28, United States Code, section 81A, is amended by inserting the word "Ketchikan," immediately following the word "Juneau,".

(c) Such authority as has been exercised by the Attorney General heretofore, with regard to the Federal court system in Alaska, pursuant to section 30 of the Act of June 6, 1900 (48 U.S.C. 25), shall continue to be exercised by him after the court created by section 12(b) of the Act of July 7, 1958 (72 Stat. 339, 348), providing for the admission of the State of Alaska into the Union, is established.

(d) All balances of public moneys received by the clerks of each division of the District Court for the Territory of Alaska pursuant to section 10 of the Act of June 6, 1900, as amended (48 U.S.C. 107), which are on hand after all payments ordered by that court shall have been made, shall be covered into the Treasury of the United States as required by law, and the Secretary of the Treasury shall pay the amounts so covered, which are hereby appropriated, to the State of Alaska.

VOCATIONAL REHABILITATION ACT

SEC. 24. (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act (29 U.S.C. supp. V, sec. 41(g)), relating to definition of State, is amended by striking out "Alaska,".

(b) (1) Subsection (i) and paragraph (1) of subsection (h) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(2) Paragraph (1) of such subsection (h) is further amended by striking out "Alaska,".

(3) Such subsection (i) is further amended by striking out "Hawaii and Alaska" in clause (B) and inserting in lieu thereof "Hawaii".

GOLD RESERVE ACT

SEC. 25. Section 15 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 444), is further amended by striking out the words ", the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

SILVER PURCHASE ACT

SEC. 26. Section 10 of the Silver Purchase Act of 1934 (31 U.S.C. 448b) is amended by striking out the words ", the District of Columbia and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

NATIONAL GUARD

SEC. 27. Title 32, United States Code, section 101(1), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii".

WATER POLLUTION CONTROL ACT

SEC. 28. (a) Paragraph (1) of section 5(h) of the Federal Water Pollution Control Act (33 U.S.C., supp. V, sec. 466d(h)(1)), relating to Federal share for purposes of matching for program operation, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out, in clause (B), "and Alaska".

(b) Subsection (d) of section 11 of such Act (33 U.S.C., supp. V, sec. 466j(d)) is amended by striking out "Alaska,".

VETERANS' ADMINISTRATION

SEC. 29. (a) Title 38, United States Code, section 903(b), is amended by striking out the words "or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care"; by inserting the word "continental" immediately before the words "United States" the second time they appear in such section; and by inserting, immediately following the words "continental United States" in both places where they appear in such section, the parenthetical phrase "(including Alaska)".

(b) Title 38, United States Code, section 2007(c), is amended by striking out the word "Alaska,".

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

SEC. 30. (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(f)), is amended by striking out the words "Hawaii, Alaska," and inserting in lieu thereof the words "(including Alaska), Hawaii,".

(b) Subsection (a) of section 702 of such Act (40 U.S.C., supp. V, sec. 522(a)), is amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii".

PUBLIC HEALTH SERVICE ACT

SEC. 31. (a) Subsection (f) of section 2 of the Public Health Service Act (42 U.S.C. 201(f)), relating to definition of State, is amended by striking out "Hawaii, Alaska," and inserting in lieu thereof "Hawaii," and by striking out "the District of Columbia, or Alaska" and inserting in lieu thereof "or the District of Columbia".

(b) (1) Effective July 1, 1959, section 371 of the Public Health Service Act, as added by the Alaska Mental Health Enabling Act (42 U.S.C., supp. V, sec. 273), is repealed.

(2) Subsection (a) of section 372 of such Act (42 U.S.C., supp. V, sec. 247(a)) is amended by striking out "the Territory of".

(3) Subsections (b), (c), and (e) of such section are each amended by striking out "the Territory" each time it appears and inserting in lieu thereof "Alaska".

(4) Such subsection (e) is further amended by striking out "the Territory's" and inserting in lieu thereof "Alaska's".

(c) (1) Subsection (a) of section 631 of such Act (42 U.S.C., supp. V, sec. 291(a)), relating to definition of allotment percentage for purposes of allotments for construction, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out "for Alaska and Hawaii shall be 50 per centum each" in clause (2) and inserting in lieu thereof "for Hawaii shall be 50 per centum".

(2) Subsection (d) of such section, relating to definition of State, is amended by striking out "Alaska,".

SOCIAL SECURITY ACT

SEC. 32. (a) Paragraph (8) of section 1101(a) of the Social Security Act (72 Stat. 1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out "Alaska and" in clause (ii) of subparagraph (A) and by striking out "(excluding Alaska)" in subparagraphs (A) and (B) and inserting in lieu thereof "(including Alaska)".

(b) (1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (B).

(2) Subsection (b) of such section, relating to definition of Federal share for purposes of matching for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (2).

(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares and allotment percentages, are each

amended by striking out “(excluding Alaska)” and inserting in lieu thereof “(including Alaska)”.

(c) (1) The last sentence of section 202(i) of the Social Security Act (42 U.S.C., supp. V, sec. 402(i)), is amended by striking out “forty-eight” and inserting in lieu thereof “forty-nine”.

(2) Subsections (h) and (i) of section 210 of such Act (42 U.S.C. 410 (h), (i)), relating to definitions of State and United States for purposes of old-age, survivors, and disability insurance, are each amended by striking out “Alaska.”.

(d) (1) Paragraph (1) of section 1101(a) of the Social Security Act (42 U.S.C., supp. V, sec. 1301(a) (1)), relating to definition of State, is amended by striking out “Alaska, Hawaii,” and inserting in lieu thereof “Hawaii”.

(2) Paragraph (2) of such section (42 U.S.C. 1301 (a) (2)), relating to definition of United States, is amended by striking out “Alaska.”.

CONGRESSIONAL RECORD

SEC. 33. Section 73 of the Act of January 12, 1895, as amended (44 U.S.C., Supp. V, sec. 183), is further amended by striking out the word “Alaska.”.

FEDERAL REGISTER

SEC. 34. Section 8 of the Federal Register Act (44 U.S.C., sec. 308), is amended by striking out the parenthetical phrase “(not including Alaska)” and inserting in lieu thereof the parenthetical phrase “(including Alaska)”.

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), which has not been completed by the date of enactment of this Act, may be completed according to the terms thereof.

SELECTIVE SERVICE

SEC. 36. Section 16(b) of the Universal Training and Service Act, as amended (50 U.S.C. app., sec. 466(b)), is further amended by striking out the word “Alaska.”.

REAL PROPERTY TRANSACTIONS

SEC. 37. Section 43(c) of the Act of August 10, 1956 (50 U.S.C. app., supp. V, sec. 2285(c)), is amended by striking out the word “Alaska.”.

RECREATION FACILITIES

SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat. 130), is hereby repealed. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1960, such sums as may be necessary to complete the construction of facilities described in section 1 of such Act, as amended by the Act of August 30, 1957 (71 Stat. 510), if construction was begun prior to June 30, 1959, and to maintain the facilities pending their transfer pursuant to such section.

AIRCRAFT LOAN GUARANTEES

SEC. 39. Section 3 of the Act of September 7, 1957 (71 Stat. 629), is amended by striking out the words “Territory of Alaska” and inserting in lieu thereof the words “State of Alaska”.

TRANSITIONAL GRANTS

SEC. 40. (a) In order to assist the State of Alaska in accomplishing an orderly transition from Territorial status to statehood, and in order to facilitate the assumption by the State of Alaska of responsibilities hitherto performed in Alaska by the Federal Government, there are hereby authorized to be appropriated to the President, for the purpose of making transitional grants to the State of Alaska, the sum of \$10,500,000 for the fiscal year ending June 30, 1960; the sum of \$6,000,000 for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$2,500,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964.

(b) The Governor of Alaska may submit to the President a request that a Federal agency continue to provide services or facilities in Alaska for an interim period, pending the provision of such services or facilities by the State of Alaska. Such interim period shall not extend beyond June 30, 1964. In the event of such request, and in the event of the approval thereof by the President, the President may allocate, at his discretion, to such agency the funds necessary to finance the provision of such services or facilities. Such funds shall be allocated from appropriations made pursuant to subsection (a) hereof, and the amount of such funds shall be deducted from the amount of grants available to the State of Alaska pursuant to such subsection.

(c) After the transfer or conveyance to the State of Alaska of any property of function pursuant to the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, or pursuant to this Act or any other law, and until June 30, 1964, the head of the Federal agency having administrative jurisdiction of such property prior to its transfer or conveyance may contract with the State of Alaska for the performance by such agency, on a reimbursable basis, of some or all of the functions authorized to be performed by it in Alaska immediately preceding such conveyance or transfer.

TRANSFER OF PROPERTY

SEC. 41. If the President determines that any function performed by the Federal Government in Alaska has been terminated by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion, transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function.

CLAIMS COMMISSION

SEC. 42. (a) In the event that any disputes arise between the United States and the State of Alaska concerning the transfer, conveyance, or other disposal of property to the State of Alaska pursuant to section 6(e) of the Act of July 7, 1958 (72 Stat. 339, 340), providing for the admission of the State of Alaska into the Union, or pursuant to this Act, the President is authorized to appoint a temporary commission of three persons to consider, ascertain, adjust, determine, and settle such disputes. In carrying out its duties under this section, such commission may hold such hearings, take such testimony, sit and act at such times and places, and incur such expenditures as the commission deems necessary. Any settlement made by such commission under the authority of this section shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

(b) The commission may, without regard to the civil-service laws and the Classification Act of 1949, employ and fix the compensation of such employees as it deems necessary to carry out its duties under this section. The commission is authorized to use the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the United States Government which it deems necessary to carry out its duties; and each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the commission upon request made by the commission. The commission shall reimburse each such department, agency, or instrumentality for the services of any personnel utilized.

(c) No member of such commission shall be an officer or employee of the United States or of the State of Alaska. Each member of the commission shall be paid compensation at the rate of \$50 per day for each day spent in the work

of the commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance in accordance with the provisions of the Travel Expense Act of 1949, as amended, when away from his usual place of residence.

(d) The President is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section. There are hereby authorized to be appropriated such sums as may be necessary to enable the commission to perform its duties under this section.

EFFECTIVE DATES

SEC. 43. (a) The amendments made by paragraph (2) of subsection (a) of section 18, by subsection (a) of section 28, by paragraph (1) of subsection (c) of section 31, by subsections (a) and (b) of section 32, and, except as provided in subsection (c) of this section, by subsection (b) of section 24, shall be applicable in the case of promulgations of Federal shares, allotment percentages, allotment ratios, and Federal percentages, as the case may be, made after satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, and for this purpose such promulgations shall, before such data for the full period required by the applicable statutory provision as so amended are available from the Department of Commerce, be based on satisfactory data available from such Department for such one full year or, when such data for a two-year period are available, for such two years.

(b) The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958, for fiscal years beginning July 1, 1959, and, in the case of allotments under section 302(a) of such Act, in the case of allotments based on allotment ratios, promulgated under such section 302(a), to which the amendment made by paragraph (2) of subsection (a) of section 18 of this Act is applicable.

(c) (1) The allotment percentage determined for Alaska under section 11(h) of the Vocational Rehabilitation Act, as amended by this Act, for the first, second, third, and fourth years for which the amendments made by this Act are applicable to such section shall be increased by 76 per centum, 64 per centum, 52 per centum and 28 per centum, respectively, of the difference between such allotment percentage for the year involved and 75 per centum.

(2) The Federal share for Alaska determined under section 11(i) of the Vocational Rehabilitation Act, as amended by this Act, for the first year for which the amendments made by this Act are applicable to such section shall be increased by 70 per centum of the difference between such Federal share for such year and 60 per centum.

(3) If such first year for which such amendments made by this Act are applicable is any fiscal year ending prior to July 1, 1962, the adjusted Federal share for Alaska for such year for purposes of section 2(b) of the Vocational Rehabilitation Act shall, notwithstanding the provisions of paragraph (3)(A) of such section 2(b), be the Federal share determined pursuant to paragraph (2) of this subsection.

(d) The amendments made by paragraphs (2) and (3) of subsection (b), by subsection (c), and by paragraph (4) of subsection (d) of section 18; by subsection (a) of section 24; by subsection (b) of section 28; by subsection (a), by subparagraphs (2), (3), and (4) of subsection (b), and by paragraph (2) of subsection (c) of section 31; by paragraph (2) of subsection (c) and by subsection (d) of section 32; and, except as provided in subsection (b) of this section by paragraph (1) of subsection (a) of section 18, shall be effective on January 3, 1959.

(e) The amendment made by paragraph (1) of subsection (c) of section 32 shall apply in the case of deaths occurring on or after January 3, 1959.

(f) The amendments made by paragraph (1) of subsection (b) and paragraphs (1), (2), and (3) of subsection (d) of section 18 shall be applicable for fiscal years beginning July 1, 1959.

DEFINITION OF "CONTINENTAL UNITED STATES"

SEC. 44. Whenever the phrase "continental United States" is used in any law of the United States enacted after the date of enactment of this Act, it shall mean the forty-nine States on the North American Continent and the District of Columbia, unless otherwise expressly provided.

SEPARABILITY

SEC. 45. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 24, 1959.

HON. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D.C.

MY DEAR MR. SPEAKER: There is forwarded herewith a draft of legislation "to amend certain laws of the United States in the light of the admission of the State of Alaska into the Union, and for other purposes," together with a section-by-section analysis thereof.

This proposal is designed to make those changes in Federal laws which have become necessary and desirable because of Alaska's admission into the Union "on an equal footing with the other States in all respects whatever." The President recommended in his 1960 budget message that, where necessary, changes should be made in Federal laws "to apply to Alaska the same general laws, rules, and policies as are applicable to other States." The proposed legislation would (1) make Alaska eligible to participate in a number of Federal grant-in-aid programs on a comparable basis with the other States; (2) terminate certain special Federal programs in Alaska; (3) authorize Federal financial assistance to Alaska during an interim period, transfers of Federal property to the State and other measures required to facilitate an orderly transition; (4) clarify the applicability of certain laws to Alaska, and (5) eliminate inappropriate references to the "Territory of Alaska" in Federal statutes.

Alaska already participates in the majority of Federal grant-in-aid programs on the same basis as other States. There are a number of Federal grant-in-aid programs, however, where Alaska is still accorded, as it was when a Territory, treatment different from that of other States. We believe that Alaska, as a full and equal member of the Union, should not receive more or less favorable treatment than other States under these programs. The proposed legislation, therefore, would amend pertinent laws providing Federal assistance for national defense education, vocational education, school construction and operation in federally affected areas, highway construction, vocational rehabilitation, water pollution control, hospital and medical facilities construction, old-age assistance, aid to dependent children, aid to the blind, aid to the permanently and totally disabled, and child welfare services to bring Alaska under the apportionment and matching formulas applicable to all other States as soon as possible. Since the 1960 apportionments have already been made, Alaska would not participate in the Federal-aid highway program on an equal basis until 1961. Transitional provisions have been included in the proposed amendments to the Smith-Hughes Act, which authorizes grants for vocational education, and the Vocational Rehabilitation Act so as to minimize the effects of any program adjustments which may be required during the transitional period. Those special Federal grants which apply only to Alaska for general and mental health and construction of recreation facilities would be terminated.

The Federal Government at present constructs and maintains highways, operates commercial airports and provides a number of other services and facilities in Alaska normally furnished by State and local governments. The President stated in his 1960 budget message that, in the long-run interest of both the State and the Nation, "the Federal Government should not continue special programs in Alaska which, in other States, are the responsibility of State and local governments or of private enterprise." Since some time necessarily will elapse before Alaska can benefit fully from the revenues to be derived from public lands and other resources to be made available to the State by the Statehood Act, the President recommended that "the Federal Government should provide such financial assistance as is necessary to facilitate transfer to the State of such programs as highway construction and maintenance, airport operations, and public health services." If such assistance were not provided, the Federal Government would be faced with the undesirable alternative of postponing transfer of these functions to the State for an indefinite period. The proposed legislation, therefore, would authorize the payment of transitional grants to the State of Alaska in an

amount of \$10.5 million for the fiscal year 1960 and in declining amounts for the subsequent 4 years. In addition, to assist the State in establishing its court system, the draft bill would transfer to the State any outstanding balances in the accounts of the clerks of the Territorial courts at such time as the Federal District Court for Alaska is established. Under the proposed legislation Alaska could choose between receiving the entire transitional grant and administering the transferred programs directly or by contract with a Federal agency, or requesting that a portion be used for financing continued Federal operations during an interim period. Expenditures for the transitional grants to Alaska would be offset to a large extent by the elimination of existing special Federal programs in Alaska.

It is recognized that Alaska will require not only financial assistance, but also facilities and equipment, if it is expeditiously to assume responsibility for functions now performed by the Federal Government. The Statehood Act provides that U.S. property situated in Alaska which is used for the purpose of conservation and protection of fisheries and wildlife in Alaska shall be transferred to the State without reimbursement. The proposed legislation would authorize the President to make similar transfers of property and equipment in any case where the State assumes responsibility for functions formerly performed by the Federal Government. In the event of differences between the Federal Government and Alaska concerning property transfers, the President would be authorized to appoint a temporary three-member commission to hear and settle the disputes.

As a consequence of Alaska's changed status, it is believed appropriate to require the Court of Appeals for the Ninth Circuit to hold sessions in Alaska annually. Under the proposed legislation that court, which is now required by law to hold sessions each year in San Francisco, Los Angeles, Portland and Seattle, would be required to hold sessions in Anchorage. The proposed legislation further provides that the U.S. District Court for the District of Alaska shall hold sessions Ketchikan, as well as at Anchorage, Fairbanks, Juneau and Nome.

The proposed legislation would extend the applicability of certain Federal laws to Alaska. These include the Sugar Act, a portion of the Investment Company Act of 1940, not hitherto applicable to certain Alaska companies, the act of June 8, 1940 (protection of bald eagles), the Federal Youth Corrections Act, certain provisions relating to parole, a statute relating to the transportation of bodies of veterans who have died in Veterans' Administration facilities, and section 29 of the Federal Register Act (notice of hearings). The draft bill would also amend the Statehood Act to clarify Federal jurisdiction over public domain lands; provide for the termination of certain "territorial laws" administered by Federal agencies; and clarify the applicability to Alaska of the statute regarding the importation of milk and cream and the nonapplicability of the tax on transportation; provide for the transfer of the Anchorage and Fairbanks airports to the State; and provide a definition to be applicable in the future of the term "continental United States." Several of the provisions of the draft bill are essentially technical and perfecting in nature and either eliminate inappropriate references to Alaska or make other language changes which are considered appropriate because of Alaska's changed status.

The Bureau of the Budget urges early and favorable consideration of the proposed legislation, since its enactment is required to assure continuity of a number of essential public services in Alaska and to provide for the orderly transition of Alaska from territorial status to statehood.

Sincerely yours,

(Signed) MAURICE H. STANS,
Director.

MEMORANDUM RE H.R. 6091 AND COMPANION BILLS

The chairman of the Interior and Insular Affairs Committee wrote to the chairmen of other committees of the House on April 2, advising them of the pendency of these bills and calling their attention to the fact that they cover matters which, if they were being treated in separate pieces of legislation, would fall within their jurisdictions. He also asked whether they had any suggestions to offer.

While some of the committees have not replied, we have a number of answers. Some of these offered no suggestions. Others requested that we consider certain matters. An outline of these letters follows.

INTERSTATE AND FOREIGN COMMERCE

"There are certain aspects of this proposed legislation which do relate to subjects which this committee does have an interest in and I shall study the bill in such connection and advise you further if I have any comments thereupon" (Apr. 13, 1959).

EDUCATION AND LABOR

"* * * there are no legal objections to those provisions of the bills dealing with matters coming within the jurisdiction of the Committee on Education and Labor" (Apr. 11, 1959).

ARMED SERVICES

The chairman of the Armed Services Committee (Apr. 7, 1959) points out several suggestions that were made by the Defense Department but were not included in the bills. He says that these do not appear to be of "overriding importance" but recommends that our committee consider them. They are as follows:

(a) Addition of a new section which would amend section 1 of the Flood Control Act of 1944 in three respects (sec. 1 deals with submission of project planning reports by the Secretary of the Army to the States and to the Secretary of the Interior and with preference in the use of water for consumptive use projects over its use for navigation).

(i) Amend the definition of the term "affected State" to read:

"The term 'affected State or States' shall include those in which the works or any part thereof are proposed to be located; those which in whole or part are both within the drainage basin involved and situated in a State (*except in Alaska*) lying wholly or in part west of the 98th meridian; and such of those which are east of the 98th meridian as, in the judgment of the Chief of Engineers, will be substantially affected."

(ii) Amend the provision requiring submission of planning reports to the Secretary of the Interior to read:

"The Chief of Engineers shall transmit a copy of his proposed report to each affected State, and, in case the plans or proposals covered by the report are concerned with the use or control of waters west of the 97th meridian (*except in Alaska*), to the Secretary of the Interior."

(iii) Amend subsection (b) to read as follows:

"The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States (*except in Alaska*) lying wholly or partly west of the 98th meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States (*except in Alaska*) lying wholly or partly west of the 98th meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes."

(b) Addition of a new section which would amend the Posse Comitatus Act (18 U.S.C. 1385) and would strike out the exception pertaining to Alaska now contained therein:

"Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than 2 years, or both. ~~This section does not apply in Alaska.~~"

(c) Addition of provisions amending title 10, sections 4774(b)(1), 7574(b)(1) and 9774(b)(1), all having to do with the size of military family quarters, by striking out the words "outside the United States" and inserting in lieu thereof "in Alaska or outside the other 48 States and the District of Columbia."

(d) Addition of provisions to bring the Military Construction Acts of 1958 (sections 503 and 514) into line with the treatment of Alaska "as being outside the United States" contained in sections 403 and 411 of H.R. 5674. These sections permit a 10 percent increase in the cost figures for military construction in Alaska used in the bill.

AGRICULTURE

"As you suggest, portions of these bills are of interest to this committee and I shall give the matter prompt consideration so that if we should have any suggestions they may be transmitted to you at an early date" (April 7, 1959).

BANKING AND CURRENCY

"The amendments the bill would make to legislation under the jurisdiction of the Banking and Currency Committee, seem to be purely formal, with no substantive effect, and I have no objection to them" (April 24, 1959).

VETERANS' AFFAIRS

"Because of the unusual circumstances prevailing in Alaska I would like to submit for your consideration an amendment to provide the authority to furnish hospitalization in private hospitals in Alaska for wartime veterans suffering from non-service-connected disabilities. Should you and the committee find that such action is desirable, I would suggest that you amend section 601(4)(C) of title 38, United States Code, by inserting immediately before the period the following: ', or in the State of Alaska.'

"I * * * hope that it will be possible for the amendment which I have suggested to be included in the bill which will be reported favorably to the House.

"The Veterans Administration has advised me that the average daily patient load in non-Federal hospitals in Alaska was 16 for fiscal year 1958. It will thus be seen that there are not a large number of veterans involved" (April 13, 1959).

JUDICIARY

"May I propose the following technical amendments:

"(1) The definition of the term 'continental United States' should be made uniform in sections 4 and 8(a).

"(2) In section 10, 'The National Housing Act' should be more accurately identified by giving the statutes and United States Code citations.

"(3) In section 17(b), the date of the Executive order should be given since this is now an accomplished fact.

"I also respectfully make the suggestion that since Hawaii will become the 50th State, the bill should be amended so as to make the same provisions for Hawaii as are proposed for Alaska. This would save time, money, and work" (April 8, 1959).

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., May 4, 1959.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of April 2, 1959, transmitting a copy of H.R. 6091, a bill to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes. Your letter asked for any suggestions we may have with respect to the bill.

Most of the proposed legislation in the bill is not related to the work of the Committee on Government Operations. However, section 21 and section 41, provide for the transfer of certain property to the State of Alaska. In general, the Committee on Government Operations has opposed transfers of real property to States and other local governments without any compensation to the United States. Since the conveyances provided for by the two sections are in addition to those authorized in the Alaska Admission Act, it is suggested that it would be appropriate to charge the acreage included in such conveyances against the overall land grant to the State. This would preserve the policy observed by the Committee on Government Operations without causing any substantial hardship to the new State.

Sincerely yours,

WILLIAM L. DAWSON, *Chairman.*

SECTIONAL ANALYSIS

SHORT TITLE

Section 1 provides that the act may be cited as the Alaska Omnibus Act.

FEDERAL JURISDICTION

Section 2 would amend section 4 of the Statehood Act. Section 4 now provides, in pertinent part, that Alaska and its people disclaim any right (a) to any lands in Alaska the right or title to which is now held by the United States, except for land granted to Alaska by the Statehood Act, and (b) to land and property held by Alaska natives or held in trust by the United States for such natives. The section further provides that "all such land . . . shall be and remain under the absolute jurisdiction and control of the United States." It was intended that such absolute jurisdiction would apply to native lands only ((b) above), but the language actually enacted appears to comprehend the lands described in both (a) and (b). The amendment would make clear that "the absolute jurisdiction and control of the United States" does not apply generally to land held by the United States in Alaska, but only to land and property held by natives or by the United States in trust for natives.

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

Section 3 provides a date on which certain laws enacted by the Congress, relating to the regulation of commerce within Alaska, shall cease to apply to the State of Alaska. Section 8(d) of the Statehood Act provides that a law "enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union" shall be regarded as a "Territorial law" and that such a law shall continue in force and effect throughout the State except as modified or changed by action of the State legislature. The foregoing language has been interpreted by the executive branch of the Federal Government as continuing in effect in the State of Alaska those portions of U.S. laws which provide for the regulation of intraterritorial commerce by agencies of the United States. In the language of section 8(d), such laws will continue in effect "except . . . as modified or changed by the legislature of the State." In order to make explicit the date such laws of the United States shall cease to be applicable, this section of the bill provides that, either (a) on July 1, 1961, or, if it occurs earlier, (b) on the effective date of any State law relating to the same subject matter as the pertinent law of the United States, such law of the United States shall cease to apply. In the absence of an explicit date, considerable confusion might arise as to the continued responsibility of a Federal agency. The section makes clear that such Federal responsibility will cease whenever the State takes legislative action in a field formerly regulated by the United States.

SUGAR ACT

Section 4 amends the Sugar Act by providing a definition of the term "continental United States." In the absence of such a definition, the term has been administratively construed to exclude the Territory of Alaska. The new subsection would make clear that it includes the 49 States and the District of Columbia. As a result, the determinations by the Secretary of Agriculture concerning sugar requirements in the continental United States will henceforth include the requirements of Alaska. Thus, sugar either imported or marketed for shipment into Alaska will be charged against a quota.

SOIL BANK ACT

Section 5 would perpetuate in the State of Alaska the treatment accorded to the Territory of Alaska under the conservation reserve program of the Soil Bank Act. The act has no practical application to Alaska at this time and is not now being administered there. This condition is likely to continue for the foreseeable future. Consequently, the amended provision concerning the geographical application of the program would make clear that the conservation reserve program of the Soil Bank Act applies to Alaska only if the Secretary of Agriculture determines that such application would be in the national interest.

ARMED FORCES

Section 6 would provide in subsection (a) a perfecting amendment to title 10 of the United States Code by amending the definition of the term "Territory" to delete the existing reference to Alaska. Subsection (b) would amend two definitions in article 2 of the Uniform Code of Military Justice which describe persons subject to the code. Under the definitions in existing law, "persons serving with, employed by, or accompanying the Armed Forces" and "persons within an area leased by or otherwise reserved or acquired for the use of the United States" are subject to the code if they are outside that part of Alaska east of longitude 172 degrees west, the Canal Zone, Hawaii, Puerto Rico, the Virgin Islands, and Guam. The amendments in subsection (b) would have the effect of according the same treatment to such persons in Alaska west of the 172d meridian as is already accorded to those east of it. Subsection (c) strikes the special and now unnecessary reference to Alaska in a section which comprehends all of the States.

NATIONAL BANK ACT

Section 7 relates to the reserve balances required of national banks that are not members of the Federal Reserve System and that are located in Alaska or outside the continental United States. Because section 19 of the Alaska Statehood Act requires that all national banks in Alaska be members of the Federal Reserve System, section 5192 of the Revised Statutes no longer has application to Alaska, and this section of the proposed bill would thus eliminate the reference to it.

FEDERAL RESERVE ACT

Section 8 provides two perfecting amendments to the Federal Reserve Act, to reflect Alaska's inclusion in the Federal Reserve System pursuant to section 19 of the Statehood Act.

HOME LOAN BANK BOARD

Section 9 would provide perfecting amendments to two statutes administered by the Federal Home Loan Bank Board. The Federal Home Loan Bank Act and the Home Owners' Loan Act of 1933 would each be amended by striking references to Alaska as a Territory.

NATIONAL HOUSING ACT

Section 10 provides amendments to the National Housing Act. The amendments would have the effect of perpetuating in the State of Alaska the treatment received by Alaska as a Territory.

COAST GUARD

Section 11 would amend the provision of law authorizing the appointment of commissioned officers of the Coast Guard as U.S. commissioners or U.S. deputy marshals in Alaska. The amendment is perfecting only and removes references to "the Territory of" Alaska.

SECURITIES AND EXCHANGE COMMISSION

Section 12 provides amendments to certain statutes administered by the Securities and Exchange Commission. Those contained in subsections (a) through (d) are perfecting only, merely removing unnecessary references to Alaska in definitions of the term "State". Subsection (e) would amend a section of the Investment Company Act of 1940 which provides an exemption from the provisions of the act to companies organized under the laws of the Territories and possessions which confine offerings of their securities to residents of such Territories or possessions. The effect of the amendment would be to remove Alaska from the areas (all of which are Territories and possessions) to which the special exemption applies, and to accord to it the same treatment as the other States receive.

SOIL CONSERVATION

Section 13 would amend two provisions of the Soil Conservation and Domestic Allotment Act. Section 8(b) of the act requires that, in the administration of the law "in the continental United States", the Secretary of Agriculture must use county committees, and that no committee may represent more than one

county or parts of different counties. Heretofore the the term "continental United States" has been administratively construed to exclude Alaska, with the result that, in Alaska, three committees only are now in operation, each serving an area which includes more than one county or parts of different counties. With statehood, Alaska may now be regarded as within the continental United States. If so, adherence to section 8(b) would require the establishment of far more committees in Alaska than would be suitable for Alaska's relatively small program. Therefore, subsection (a) of this section of the bill would remove the requirement with respect to the areas represented by committees in the case of Alaska. Subsection (b) is a perfecting amendment, designed only to reflect Alaska's new status.

BALD EAGLES

Section 14 amends the statute providing protection to bald eagles. Existing law protects the bald eagle "within the United States or any place subject to the jurisdiction thereof, except the Territory of Alaska." Because the bald eagle is now virtually extinct except in Alaska, the protection afforded by the statute should apply to Alaska as well. The amendment contained in this section would achieve that result.

WILDLIFE RESTORATION

Section 15 would amend the statute providing grants to the States and Territories for wildlife restoration in order to remove references to the Territory of Alaska from the section relating to grants to the Territories. The amendments are perfecting only, since Alaska will necessarily be accorded the treatment of a State as a result of the Statehood Act.

FISH RESTORATION

Section 16 would amend the statute providing grants to the States and Territories for fish restoration in order to remove references to the Territory of Alaska from the section relating to grants to the Territories. The amendments are perfecting only, since Alaska will necessarily be accorded the treatment of a State as a result of the Statehood Act.

CRIMINAL CODE

Section 17 provides amendments to the Federal Youth Corrections Act and to a 1958 statute relating to parole, which, under the terms of existing law, apply "in the continental United States other than Alaska." When the United States District Court for the District of Alaska is established, pursuant to the Statehood Act, such laws should apply to the State. Subsection (c) provides that the application of the laws in question to Alaska will commence on that date.

EDUCATION

Section 18 provides certain amendments to the laws relating to education.

Subsection (a), relating to the National Defense Education Act of 1958, amends section 103(a), section 302(a) (3), and section 1008 of the act (20 U.S.C.A., secs. 403(a), 442(a) (3) (B), and 588), so as to eliminate the special treatment of Alaska. The amendment to section 302(a) (3) would eliminate the exclusion of Alaska from the continental United States for purposes of determining the allocation of funds to States for acquisition of mathematics, science, or modern foreign-language equipment. The amendments to sections 103(a) and 1008 would put Alaska on the same basis as the other States for purposes of allocations of funds for the acquisition of such equipment, allocations of funds for State programs of expansion or improvement of public school supervisory services in mathematics, science, or modern foreign language, and allocations of funds for counseling and guidance and testing programs.

Under section 43, these amendments would be effective in the case of allotments for acquisition of equipment based on allotment ratios which are promulgated after per capita income data for Alaska for a full year are available from the Department of Commerce. They would be effective in the case of allotments for State programs of expansion or improvement of supervisory services, or for counseling and guidance and testing programs, for fiscal years beginning July 1, 1959.

Subsection (b), in paragraph (1), relating to vocational education, amends section 4 of the Smith-Hughes vocational education law. This section provides

for allotments to the States for teacher-training in agriculture, trades and industries, and home economics, and includes an authorization of separate appropriations for the \$10,000 minimum allotment provided for the States for this purpose. The \$90,000 authorized for the latter purpose would be insufficient to provide the minimum for Alaska as well as the other States, and hence it would be increased by the bill to \$98,500.

In order to qualify for funds allocated under this law for vocational education in the field of agriculture, trades and industries, or home economics, a State must "have taken advantage of" an amount at least equal to the minimum allotment for teacher-training in that field. In addition, the law requires at least 20 percent of a State's allotment for teacher-training to be expended in each of the three fields and places a limitation of 60 percent of the teacher-training allotment on the amount which may be expended in any one of the three fields. These requirements and limitations would be made inapplicable to Alaska until the third fiscal year which begins after the enactment of the bill. Similar treatment was accorded the other States when the law was first enacted at which time they were given a 3-year grace period during which these provisions were not applicable.

Subsection (b), in paragraphs (2) and (3), also amends the Vocational Education Act of 1946 to eliminate from the definitions of "State" and "States and Territories", the specific mention of Alaska. These are purely technical amendments.

Subsection (c), relating to school construction assistance in federally-affected areas, amends paragraph (13) of section 15 of Public Law 815 (81st Cong.), as amended (20 U.S.C.A., sec. 645(13)), which defines the term "State". The amendment would eliminate the specific reference to Alaska. This is a purely technical amendment.

Subsection (d), relating to school operation assistance in federally-affected areas, amends section 3(d) of Public Law 874 (81st Cong.), as amended (20 U.S.C.A., sec. 238(d)). This section of the law sets forth the method of determining the local contribution rate used in computing the amount of the payments to local school districts on account of federally-connected children attending their schools. The determination of the rate for the Territories, including Alaska, is, however, separately provided for, with the Commissioner of Education authorized to make the determination consistent with the policies and principles provided for the determination of the rate in the case of school districts in other States.

The amendments to this section of the law would eliminate the specific mention of Alaska as one of the States to whom the specific provision applies, but would make the special provision applicable to any State in which a substantial portion of the land is in unorganized territory for which a State agency is the local educational agency. This would include Alaska at the present time and probably for the next 15 or 20 years. It might conceivably include also other States, although this is not likely. Consequently, the amendments will not have any practical effect upon Alaska in the foreseeable future. These amendments would also specifically include Alaska in the continental United States for purposes of determining the average per-pupil expenditure therein, which is used, in turn, in determining the minimum local contribution rate.

These amendments would, under section 43, be applicable beginning with the next fiscal year.

Subsection (d)(4) of section 18 of the bill also amends paragraph (8) of section 9 of Public Law 874 which defines the term "State". The amendment would eliminate the specific reference to Alaska. This is a purely technical amendment.

IMPORTATION OF MILK AND CREAM

Section 19 would make clear that the act of February 15, 1927, which regulates the importation of milk and cream into the continental United States, applies to Alaska.

OPIUM POPPY CONTROL

Section 20 would provide a perfecting amendment to the Opium Poppy Control Act of 1942. It would strike a now superfluous reference to the Territory of Alaska.

HIGHWAYS

Section 21 would provide for the assumption by the State of Alaska of the functions now performed by the other States in connection with the construc-

tion and maintenance of roads. It would direct the Secretary of Commerce to transfer to Alaska without compensation, but subject to conditions which he may deem desirable, all of the real and personal property now held by the Bureau of Public Roads in connection with its current responsibilities in Alaska, except for such property as the Bureau will require in continuing to perform in Alaska, as elsewhere in the States, its usual Federal functions and functions for which the State may contract under section 40(c), and except for lands which must be retained for purposes other than or in addition to road purposes. It is intended that the date of transfer be July 1, 1959, if practicable, or as soon thereafter as would be practicable. Henceforth Alaska will be responsible for road maintenance, as it has not been in the past. However, Alaska would be able to utilize Federal-aid funds apportioned for the fiscal year ending June 30, 1960, and prior years, and unobligated on the date of passage of this act, for maintenance during fiscal years 1960, 1961, and 1962. To assist it in road construction, the section further provides for the extension to Alaska of the laws relating to Federal aid for highways on the same terms as are applicable to the other States. Citations within the section are keyed to Public Law 85-767, approved August 27, 1958.

INTERNAL REVENUE

Section 22 contains amendments to the International Revenue Code of 1954. All, except for that contained in subsection (b), are perfecting in nature, merely removing references to Alaska which are now superfluous. Subsection (b) relates to the definition of the phrase "continental United States" for purposes of the transportation tax. The explicit terms of existing law (i.e., the "continental United States" means "the existing 48 States and the District of Columbia"), excluded the Territory of Alaska, with the result that a partial exemption from the tax was permitted for trips between the Territory of Alaska and the States. The effect of the amendment contained in subsection (b) will be to accord to Alaska, as a State, the same treatment it received as a Territory, and thus to preserve a distinction between Alaska and the other States. The Treasury Department has concluded that it would be contrary to the intent of the Congress, as expressed in 1956, to remove this partial exemption. The exemption was inserted in the law in 1956 in recognition of the fact that Alaska (and Hawaii) were far removed from the States and that transportation between the States and those two Territories involved travel over the high seas and/or a foreign country. When the exemption amendment was considered in the Senate, the possible effect of future statehood was discussed in a memorandum submitted by Senator Morse (Congressional Record, Mar. 29, 1956, p. 5212). His statement asserted that statehood should not change the exemption. On this basis, the Treasury Department considers that the partial exemption continues, notwithstanding Alaska's admission to the Union. Enactment of subsection (b) would confirm that conclusion.

COURTS

Section 23, in subsection (a), amends the judicial code so that the Court of Appeals for the Ninth Circuit will be required to hold sessions in Anchorage annually. That court is now by law required to hold sessions each year in San Francisco, Los Angeles, Portland, and Seattle. Subsection (b) amends the judicial code to provide that the Federal District Court for the District of Alaska shall be held in Ketchikan. Subsection (c) would perpetuate the authority of the Attorney General to fix fees and allowances for witnesses in connection with the Federal court in Alaska. Current fees and allowances, established pursuant to 48 U.S.C. 25, are set forth at 28 CFR 21.3. Fees and allowances for witnesses in Federal courts, excluding Alaska, are set forth at 28 U.S.C. 1821. Under the provision of subsection (c) of this section of the bill, Alaska would continue to be excluded from section 1821 of title 28. Subsection (d), in effect, provides for the transfer to the State of moneys, derived from court fees and fines, held by the clerks of the District Court of the Territory.

VOCATIONAL REHABILITATION ACT

Section 24 relates to vocational rehabilitation.

Subsection (a) amends section 11(g) of the Vocational Rehabilitation Act. This section of the act defines the term "State." The amendment would eliminate the specific reference to Alaska and is a technical amendment.

Subsection (b) amends subsections (h) and (i) of section 11 of the Vocational Rehabilitation Act. These subsections define the terms "allotment percentage" and "Federal share." The amendments would eliminate the special provisions under which the allotment percentage for Alaska is set at 75 percent and the Federal share at 60 percent, and would provide for the determination of these to be made in accordance with the relative per capita income of Alaska, as is done in the case of other States. The amendments would also eliminate the exclusion of Alaska from the continental United States for purposes of determining the allotment percentages and Federal shares for the States. Under section 43 of this bill, the above amendments would be applicable to allotment percentages and Federal shares promulgated after there are available per capita income data for Alaska for a full year from the Department of Commerce, and following a short transition period.

GOLD RESERVE ACT

Section 25 would remove a now obsolete reference to the Territory of Alaska contained in the Gold Reserve Act of 1934.

SILVER PURCHASE ACT

Section 26 would remove a now obsolete reference to the Territory of Alaska contained in the Silver Purchase Act of 1934.

NATIONAL GUARD

Section 27 would provide a perfecting amendment to the definition of "Territory" for purposes of title 32 of the United States Code, relating to the National Guard.

WATER POLLUTION CONTROL ACT

Section 28 provides certain amendments to the Water Pollution Control Act.

Subsection (a) of this section amends section 5(h) (1) of the Federal Water Pollution Control Act. This section defines the term "Federal share" which is used for determining the portion of the cost of the water pollution control program in each State which will be borne by the Federal Government. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definition, no longer be excluded from the continental United States and would have its Federal share determined, as in the case of the other States, on the basis of its relative per capita income.

Under section 43, these amendments would be effective for promulgations of the Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (b) of this section of the bill amends section 11(d) of the Federal Water Pollution Control Act, which defines "State" to eliminate the special mention of Alaska. This is a purely technical amendment.

VETERANS' ADMINISTRATION

Section 29(a) relates to the authority of the Veterans' Administration under section 903(b) of title 38 (Public Law 85-857), to transport the bodies of veterans who have died in VA facilities. Existing law provides that (a) when a death occurs in the continental United States, transportation may be provided to the place of burial in the United States; (b) when a death occurs in the continental United States, transportation may be provided to the place of burial within Alaska if the deceased was an Alaska resident and if he had been brought to the United States for VA hospital care; and (c) when a death occurs in a Territory, Commonwealth, or possession, transportation may be provided to the place of burial within such Territory, Commonwealth, or possession. Under existing law therefore, no explicit provision is included for the transportation of deceased veterans from Alaska to the other States, although the statute might reasonably be construed, as a consequence of Alaska's admission, to permit this result. Similarly, there is no explicit provision for the transportation of deceased veterans from the other States to Alaska, in the absence of a finding that the deceased was an Alaska resident brought to another State for care. Section 29(a) of the proposed bill would make both of these results certain, and in so doing would remove the statutory distinctions between Alaska and the other States. Subsection (b) is a perfecting amendment only.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

Section 30 provides two perfecting amendments to the Federal Property and Administrative Services Act. The first would make clear that the term "continental United States" includes Alaska, and the second would remove an unnecessary reference to Alaska in the definition of the term "State."

PUBLIC HEALTH SERVICE ACT

Section 31 provides certain amendments to the Public Health Service Act.

Subsection (a) amends section 2(f) of the Public Health Service Act which defines the term "State" for purposes of the act. This is a purely technical amendment eliminating the specific inclusion of Alaska as a State.

Subsection (b) would repeal section 371 of the Public Health Service Act relating to the Alaska mental health program. Section 371 authorizes grants totaling \$4 million for the fiscal years 1960 through 1967 for the administration of Alaska's mental health program. The subsection also amends section 372 of such act, relating to the grant already made for the construction of a hospital and related facilities for the care of the mentally ill. The amendments to section 372 eliminate references to Alaska as a Territory.

Subsection (c), relating to hospital and medical facilities construction, amends section 631(a) of the Public Health Service Act. This section describes the method of determining allotment percentages which are used in the allocation of the appropriations for hospital and medical facilities construction under title VI of the Public Health Service Act. They are also used in connection with determining the Federal share of the cost of construction. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of determining the allotment percentages, no longer be excluded from the continental United States and would have its percentage based, as in the case of the other States, on its relative per capita income. Its Federal share would also be determined in the manner provided for the other States.

Under section 43, these amendments would be applicable in the case of promulgations of allotment percentages and Federal shares made after per capita become data for Alaska for a full year are available from the Department of Commerce.

Subsection (c) also amends section 631(d) of the Public Health Service Act, which defines the term "State," to eliminate the specific reference to Alaska. This is a technical amendment.

SOCIAL SECURITY ACT

Section 32 provides certain amendments to the Social Security Act.

Subsection (a), relating to public assistance, amends section 1101(a)(8) of the Social Security Act (20 U.S.C.A. 1301(A)(8)). This section defines the term "Federal percentage" which is used in determining the portion of the expenditures in each State for old-age assistance, aid to dependent children, aid to the blind, or aid to the permanently and totally disabled which will be borne by the Federal Government. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definition, no longer be excluded from the continental United States and would have the determination of its Federal percentage made, as in the case of the other States, on the basis of its relative per capita income.

These amendments to section 1101(a)(8) of the Social Security Act would, under section 43 of the bill, be effective for promulgations of the Federal percentages made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (b), relating to child welfare services, amends section 524 of the Social Security Act (42 U.S.C.A. 724). This section defines the terms "allotment percentage" and "Federal share" for purposes of determining the allocation of the appropriations for child welfare services under part 3 of title V of the Social Security Act among the States and the portion of the expenditures for this purpose in each State which will be borne by the Federal Government.

The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definitions, no longer be excluded from the continental United States and would have the determinations of its allotment percentage and its Federal share made, as in the case of the other States, on the basis of its relative per capita income.

The amendments made by this subsection of the bill would, under section 43 of the bill, be effective for promulgations of allotment percentages and Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (c), relating to old-age, survivors, and disability insurance, amends the last sentence of section 202(i) of the Social Security Act. This section of the act provides for lump-sum payments in certain cases of death of an individual insured under the old-age, survivors, and disability insurance program. The application for such payments must be filed within 2 years of the date of death, except that, in the case of the death outside of the 48 States and the District of Columbia of a member of the Armed Forces (including commissioned officers of the Public Health Service and the Coast and Geodetic Survey) who is "returned" to any of the 48 States, the District, or any U.S. Territory or possession for interment or reinterment, the 2-year period begins with such interment or reinterment. This special treatment would no longer be provided in the case of deaths in Alaska. It should be noted that the 2 years may be extended for as much as an additional 2 years if good cause for the failure to file within the initial 2-year period is shown.

The subsection (c)(1) amendment would, under section 43 of the bill, be effective in the case of deaths occurring on or after January 3, 1959.

Subsection (c) of the bill also amends subsections (h) and (i) of section 210 of the Social Security Act which define "State" and "United States" for purposes of the old-age, survivors, and disability insurance program. These are purely technical amendments, eliminating the specific inclusion of Alaska as a State, since this inclusion became automatic upon Alaska's admission to the Union.

Subsection (d) amends paragraphs (1) and (2) of section 1101(a) of the Social Security Act which define "State" and "United States" for purposes of the act. These are technical amendments.

CONGRESSIONAL RECORD

Section 33 amends the law relating to the gratuitous distribution of copies of the Congressional Record. Existing law provides that the Governors of the States shall receive one copy in both daily and bound form, while the Governors of the Territories receive five in both daily and bound form. The amendment would strike the reference to Alaska in the latter provision so that the Governor of the new State would be accorded the treatment of a State Governor rather than a Territorial Governor.

FEDERAL REGISTER

Section 34 amends the Federal Register Act so that henceforth publication in the Federal Register of notice of hearing will be regarded as notice to persons residing in Alaska, as well as elsewhere in the mainland United States. Under circumstances described in the statute, such publication is, under existing law, adequate with respect to residents of the continental United States excluding Alaska. The amendment would extend the provision to Alaska as well.

AIRPORTS

Section 35(a) would authorize and direct the Administrator of the Federal Aviation Agency to convey to the State of Alaska, without reimbursement, the airports at Anchorage and Fairbanks which were constructed and have been operated and maintained by the United States under the act of May 28, 1948. Subsection (b) would permit completion of certain FAA contracts following such conveyance.

SELECTIVE SERVICE

Section 36 would remove an unnecessary reference to Alaska in the section of the Universal Military Training and Service Act which defines the term "United States." The amendment is perfecting only.

REAL PROPERTY TRANSACTIONS

Section 37 amends the statute which requires the Director of the Office of Civil and Defense Mobilization to come into agreement with the Armed Services Committees of the Congress with respect to certain real property transactions. The amendment would merely remove a superfluous reference to Alaska.

RECREATION FACILITIES

Section 38 relates to the statute which authorizes the Secretary of the Interior to construct public recreation facilities in Alaska. As enacted in 1956, the law authorizes the appropriation of \$100,000 each year for the 5 fiscal years ending June 30, 1961, for the construction and maintenance of such facilities, and provides for their transfer to Alaskan agencies or communities. The effect of the provision contained in section 38 is to terminate the existing authorization for appropriations and to substitute for it an authorization of funds for 1 fiscal year only. Such funds could be expended only for the completion of projects begun prior to June 30, 1959, but not completed by that date, and for the maintenance of facilities constructed under the act pending their transfer to Alaska.

AIRCRAFT LOAN GUARANTEES

Section 39 would provide a perfecting amendment to the 1957 statute (set out as a note following 49 U.S.C., supp. V, sec. 425) which authorizes loans for the purchase of aircraft and equipment.

TRANSITIONAL GRANTS

Section 40 in subsection (a) authorizes the appropriation to the President of funds to be used for transitional grants to the State of Alaska for fiscal years 1960 through 1964. A \$10,500,000 grant is authorized for 1960, \$6 million for 1961 and for 1962, and \$2,500,000 for 1963 and for 1964. The grants would not be earmarked and would be available as a general supplement to the financial resources of the State. The amounts appropriated for transitional grants would be offset to large extent by the elimination of appropriations for a number of activities which the Federal Government would have continued to finance in Alaska had it remained a Territory. Those include appropriations for capital improvements at Anchorage and Fairbanks airports; operation and maintenance of intermediate airports; special grants for mental and general health; and construction of recreational facilities. There was also taken into account the fact that Federal-aid highway funds allocated to Alaska after 1960 will not be available for road maintenance and that Alaska would receive revenues from the Federal airports transferred to it.

Subsection (b) would allow the Governor of Alaska to request that a Federal agency continue to provide services and facilities in Alaska for a limited period, pending the taking over of such responsibilities by the State. In the event that the Governor's request is approved, funds for the provision of the services or facilities by the Federal agency would be allocated to it from the grants appropriated under subsection (a), and the grant Alaska receives for the pertinent fiscal year would be correspondingly reduced.

Subsection (c) would authorize the head of a Federal agency, who has transferred to the State of Alaska property or functions pursuant to either the Statehood Act, this bill, or another law, to contract with the State for the continued performance by his agency of functions authorized to be performed by it in Alaska preceding such transfer. The authority would expire June 30, 1964. The State would be required to reimburse the Federal agency for the functions performed by it under contract.

TRANSFER OF PROPERTY

Section 41 would authorize the President to give to the State of Alaska any property owned or held by the United States in Alaska and used in connection with functions performed by the Federal Government which have been taken over by the State. The authority would terminate July 1, 1964.

CLAIMS COMMISSION

Section 42 provides for the establishment, should the need arise, of a temporary three-member commission to hear and settle any dispute between the Federal Government and Alaska concerning the transfer of Federal property to the State. In both the Statehood Act (notably section 6(e)), and this bill (see sections 21, 35, and 41), provision is made for the transfer or conveyance of certain Federal property to Alaska. If the respective governments should not agree as to what property is comprehended by such sections, the President would be authorized to appoint a temporary commission to settle the dispute. The

commission would make no money settlements, but would merely decide which jurisdiction is entitled to the disputed property. Members would receive \$50 per day, would be reimbursed for travel, and would receive a per diem allowance when away from their usual places of residence.

EFFECTIVE DATES

Section 43 contains the effective dates for the various amendments to the laws establishing the grant programs of the Department of Health, Education, and Welfare. Most of these provisions have been discussed in relation to the sections amending the pertinent statutes. In addition, subsection (a) of this section provides that, where the statutory provisions amended require the allotment percentage, allotment ratio, Federal percentage, or Federal share to be based on per capita income data for a specified period, the determinations will be based, prior to the time when data for the required period are available, on data for the 1-year or 2-year period for which such data are available.

DEFINITION OF "CONTINENTAL UNITED STATES"

Section 44 provides that, when the phrase "continental United States" is used in Federal laws enacted after the date of enactment of this bill, the phrase shall mean the 49 States of the North American Continent and the District of Columbia.

SEPARABILITY

Section 45 provides a separability clause.

Mr. O'BRIEN. May I ask the indulgence of the subcommittee and the witnesses for a moment. We have pending before this subcommittee a bill, H.R. 1868, by Mr. Moulder, the title of which is "granting independence to the Commonwealth of Puerto Rico."

If there is no objection, the Chair would entertain a motion that the bill be reported to the full committee for tabling.

Mr. RIVERS. I will so move, Mr. Chairman.

Mr. O'BRIEN. You have heard the motion.

All those in favor say "aye."

Opposed "no."

It is so ordered.

Our first witness this morning is Mr. Harold Seidman, Assistant Chief, Office of Management and Organization, Bureau of the Budget.

STATEMENT OF HAROLD SEIDMAN, ASSISTANT CHIEF, OFFICE OF MANAGEMENT AND ORGANIZATION, BUREAU OF THE BUDGET; ACCOMPANIED BY HOWARD SCHNOOR, BUREAU OF THE BUDGET; AND RUTH VAN CLEVE, ASSISTANT SOLICITOR, DEPARTMENT OF THE INTERIOR

Mr. SEIDMAN. Mr. Chairman, I am accompanied by Mr. Howard Schnoor, my associate in the Bureau of the Budget, and by Mrs. Ruth Van Cleve, Assistant Solicitor of the Department of the Interior, who was very generously loaned to the Bureau of the Budget by the Department, to assist us in drafting the Alaska omnibus bill. The representatives of the Department of Commerce and the Federal Aviation Agency will offer separate testimony on the sections of the bill dealing with airports and highways. Representatives of the Department of Health, Education, and Welfare are present here today and will be available to answer any questions that may arise concerning the sections of the bill concerning that agency.

Mr. O'BRIEN. I understand that the testimony you will give, and the bill itself, represents many months of work in the different agencies of the Government; is that correct?

Mr. SEIDMAN. That is correct. It represents, I would say, many months of work by the entire executive branch of the United States Government. It was a coordinated effort, which the Bureau of the Budget undertook at the expressed direction of the President.

Mr. O'BRIEN. What we are attempting to do here is, obviously, without precedent in many respects, because we never before had admitted a State so large and with so many complex problems. We have problems which did not exist, also obviously, when the last States came in in 1912, such as airport problems and so forth. Is that correct?

Mr. SEIDMAN. We are dealing with a situation which, as you have indicated, is wholly unprecedented in terms of other States which have been admitted into the Union.

Mr. O'BRIEN. Thank you.

Mr. SEIDMAN. I have a prepared statement and with your permission, I would like to read the statement.

Mr. O'BRIEN. You may proceed.

Mr. SEIDMAN. Mr. Chairman and members of the committee, I am pleased to appear before your committee in support of H.R. 6091, a bill "To amend certain laws of the United States in the light of the admission of the State of Alaska into the Union, and for other purposes," and identical bills H.R. 6109 and H.R. 6112.

The basic purpose of H.R. 6091 is to accomplish Alaska's transition from a State by law to a State in fact. The proposed legislation is a tangible expression of our faith in Alaska's future and our conviction that Alaskans possess both the desire and the capacity to assume the responsibilities of statehood and management of their own affairs.

H.R. 6091 is designed to make those changes in Federal laws which have become necessary and desirable because of Alaska's admission into the Union "on an equal footing with the other States in all respects whatever." The President recommended in his 1960 budget message that, where necessary, changes should be made in Federal laws "to apply to Alaska the same general laws, rules, and policies as are applicable to other States." The bill would (1) make Alaska eligible to participate in a number of Federal grant-in-aid programs on a comparable basis with the other States; (2) terminate certain special Federal programs in Alaska; (3) authorize various measures required to facilitate an orderly transition, including property transfers and transitional grants; (4) clarify the applicability of certain laws to Alaska; and (5) eliminate inappropriate references to the "Territory of Alaska" in Federal statutes.

Alaska already participates in the majority of Federal grant-in-aid programs on the same basis as other States. However, there are a number of Federal grant-in-aid programs where Alaska is still accorded, as it was when a Territory, treatment different from that of other States. We believe that Alaska, as a full and equal member of the Union, should not receive more or less favorable treatment than other States under these programs. The bill, therefore, would amend pertinent laws providing Federal assistance for national defense education, vocational education, school construction and operation in

federally affected areas, highway construction, vocational rehabilitation, water pollution control, hospital and medical facilities construction, old-age assistance, aid to dependent children, aid to the blind, aid to the permanently and totally disabled, and child welfare services to bring Alaska under the apportionment and matching formulas applicable to all other States as soon as possible. Since the fiscal year 1960 apportionments have already been made, Alaska would not participate in the Federal aid highway program on an equal basis until fiscal year 1961. Transitional provisions have been included in the proposed amendments to the Smith-Hughes Act, which authorizes grants for vocational education, and the Vocational Rehabilitation Act so as to minimize the effects of any program adjustments which may be required during the transitional period. Special Federal grants to Alaska for general and mental health and construction of recreation facilities would be terminated, but the amounts which Alaska would have received under these programs are included in the proposed transitional grants authorized by section 40(a) of the bill.

While the bill provides that Alaska, as a State, shall be accorded equal treatment under Federal grant-in-aid programs, it would continue a limited number of statutory provisions which permit Federal agencies to take into account unusual economic and other factors in conducting their programs in Alaska. These provisions are wholly unrelated to Alaska's previous status as a Territory and do not affect Federal-State relationships. Section 10 of the bill, for example, would retain provisions of the National Housing Act which recognize that construction costs in Alaska substantially exceed, I might indicate here that substantially is by approximately 100 percent, those in other States by authorizing increased dollar limitations for Federal home mortgage insurance. These provisions confer no special benefits on the State of Alaska, but they do enable individual Alaskans to take advantage of the Federal housing programs.

Alaska presents many unique and difficult problems not previously encountered when new States were admitted into the Union. Transitional problems are greatly complicated by the fact that the Federal Government has chosen directly to perform functions in Alaska which normally have been delegated to territorial and local governments. The Federal Government has constructed and maintained highways, operated commercial airports, administered justice, and provided a number of other services and facilities in Alaska which are elsewhere furnished by local government agencies. The State of Alaska obviously will never be master in its own house as long as the Federal Government continues to control major programs and policies which properly are matters for State determination. For this reason, the President recommended in his 1960 budget message that, in the long run interest of both the State and the Nation, "the Federal Government should not continue special programs in Alaska which, in other States, are the responsibility of State and local governments or of private enterprise."

H.R. 6091, in section 21, would transfer to Alaska responsibility for State highway functions which have been exercised by the Bureau of Public Roads, and, in section 35, would transfer to Alaska the Anchorage and Fairbanks Airports. Transfer of intermediate air-

ports would be accomplished under authority of the Surplus Property Act of 1944, as amended. Transfer from a system of Federal courts to a State court system is provided by section 18 of the Alaska Statehood Act, and transfer of game management functions is covered in section 6 of the Statehood Act.

We are fully aware that Alaska will require help, both in the form of financial assistance and facilities and equipment, if the State is to assume responsibility for local government functions now performed by the Federal Government in a prompt and orderly manner.

Some time necessarily will elapse before Alaska can either increase its revenues derived from existing sources or benefit fully from the revenues to be derived from public lands and other resources to be made available to the State by the Statehood Act. Even if the State's financial resources were adequate, it would be wasteful and impractical for the Federal Government to continue direct operations while the State at the same time was attempting independently to staff and equip a duplicate organization capable of taking over the Federal functions.

The President has recommended, therefore, that "the Federal Government should provide such financial assistance as is necessary to facilitate transfer to the State of such programs as highway construction and maintenance, airport operations, and public health services." In accordance with the President's recommendation, section 40(a) of the bill would authorize the payment of transitional grants to the State of Alaska in an amount of \$10.5 million for the fiscal year ending June 30, 1960; the sum of \$6 million for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$2.5 million for each of the fiscal years ending June 30, 1963, and June 30, 1964. The transitional grants would be unearmarked and available as a general supplement to the State's financial resources. In addition, to assist the State in establishing its court system, section 23(d) would transfer to the State any outstanding balances in the accounts of the clerks of the territorial courts at such time as the Federal District Court for Alaska is established.

Section 41 would authorize the President to transfer Federal property and equipment to the State in any case where the State assumes responsibility for functions formerly performed by the Federal Government. In the event of differences between the Federal Government and Alaska concerning property transfers, the President could, as provided by section 42, appoint a temporary three-member commission to hear and settle disputes. Officers or employees of the United States or the State of Alaska would not be eligible for appointment as members of the Claims Commission.

In arriving at the recommended amounts of transitional grants, thorough study and consideration were given to the following factors: (1) costs of administering services and maintaining and operating facilities to be transferred by the Federal Government to the State of Alaska; (2) Federal funds which would have been spent for the foregoing services and facilities, or otherwise would have been available to Alaska, if it had remained a Territory; (3) Federal funds which could be obtained by the State under the provisions of grant-in-aid programs now applicable, or to be made applicable, to Alaska; (4) revenues which will be received by Alaska from Federal airports to

be transferred to the State; and (5) Alaska's ability to finance the transferred functions without impairment of essential services.

The present costs of these services and facilities to the Federal Government are reflected by the following items which have been eliminated from the 1960 budget because of Alaska's changed status: Capital improvements Anchorage and Fairbanks airports; operation and maintenance Alaska intermediate airports; mental health grant; general health grant; and grant for recreational facilities. The amount of appropriations for the above activities, less the revenues of the Anchorage, Fairbanks, and Alaska intermediate airports which are now paid into miscellaneous receipts, would have totaled \$6,261,000 in 1960. To this amount there must be added a sum of \$4 million in Federal funds which previously has been spent—and this is an annual amount—for highway maintenance in Alaska, but which will cease to be available for this purpose after 1960 when Alaska is brought under Federal aid highway program on a comparable basis with other States. It should be noted that the proposed amount of the transitional grant for 1960, \$10.5 million, is slightly in excess of the \$10,261,000 which would have been the net expenditures by the Federal Government for these programs if Alaska had remained a Territory.

The total of transitional grants, however, by no means reflects the full amount of Federal financial assistance which will be available to the new State. The transitional grants would be unearmarked so that the State would have the flexibility to utilize the funds as it deemed best in the light of its own needs and could, if it so desired, use the grants, or an equivalent amount of money, for matching purposes under Federal grant-in-aid programs. For example, the Federal Government has taken into account the desirability of extending the runways at both the Anchorage and Fairbanks airports, which are to be transferred to the State under the provisions of section 35, to meet the needs of the jet age. In estimating the amount of the transitional grant for 1960, \$4.5 million was included for capital improvements at the Anchorage and Fairbanks airports with the expectation that some or all of this sum would be used for matching purposes under the Federal Aid airport program. Thus, the State could have a total construction program of \$12 million, more than enough to extend the runways at both Anchorage and Fairbanks, by matching the \$4.5 million with \$7.5 million in Federal airport grants.

Alaskans have assured the Congress that Alaska would be willing and able to assume added costs of statehood that are now being borne by the Federal Government. We have every confidence that the new State will be able at the end of the 5-year transitional period to absorb these added costs without undue strain on the State's financial resources. Our best estimates indicate that by the end of the transitional period the anticipated increase in State tax revenues from Pribilof Island receipts, proceeds from public lands sold by the United States, mineral leases, and lands selected by the State pursuant to the provisions of the Statehood Act, should more than suffice to meet the costs of essential State services, including those assumed from the Federal Government.

Adequate safeguards are provided by the bill to assure that there will be no interruption or impairment of services now provided by the Federal Government during the transitional period. Under sub-

sections (b) and (c) of section 40, Alaska could choose between receiving the entire transitional grant and administering the transferred programs directly or by contract with a Federal agency, or requesting that a portion be allocated by the President to finance continued Federal operations for an interim period.

As a consequence of Alaska's changed status, it has been found necessary to make certain amendments relating to the Federal judiciary. Section 23(a) would require the Court of Appeals for the Ninth Circuit to hold sessions in Anchorage annually, as well as in San Francisco, Los Angeles, Portland and Seattle. Section 23(b) would add Ketchikan to the other Alaskan cities in which the United States District Court for the District of Alaska shall hold sessions. Section 23(c) would preserve the Attorney General's authority to take into account higher costs in Alaska in fixing witness' and marshals' fees.

H.R. 6091 would extend the applicability of certain Federal laws to Alaska. These include the Sugar Act, a portion of the Investment Company Act of 1940 not hitherto applicable to certain Alaskan companies, the Federal Youth Corrections Act, certain provisions relating to parole, the act of June 8, 1940, for protection of bald eagles, a statute relating to the transportation of bodies of veterans who have died in Veterans' Administration facilities, and section 29 of the Federal Register Act relating to notice of hearings.

The bill would also amend the Statehood Act to clarify Federal jurisdiction over public domain lands; provide for the termination of certain "Territorial laws" administered by Federal agencies; clarify the applicability to Alaska of the statute regarding the importation of milk and cream and the nonapplicability of the Federal tax on transportation; and provide a definition to be applicable in the future of the term "continental United States."

Mr. Chairman, Congressman Rivers had called our attention to a problem with respect to the Defense Base Act. The Defense Base Act provides workmen's compensation protection to employees of private employers working outside the continental United States in defense base areas and to employees of Federal contractors employed outside the continental United States upon public works in the Territories and Alaska and foreign countries. The War Hazards Act provides benefits related to war hazards, to be paid by the Federal Government, primarily for employees covered by the Defense Base Act.

On January 14, 1959, the Alaska Industrial Board announced that it would apply the Alaska Workmen's Compensation Act in the Federal domain in Alaska, effective January 3, 1959, the date of statehood, under the act of June 25, 1936 (49 Stat. 1938), permitting such State action. A potential workmen's compensation liability exists, therefore, respecting employers of workers on Federal property in Alaska under both the Defense Base Act and the Alaska Workmen's Compensation Act.

The purpose of the proposed amendment is to place Alaska on the same basis as any other State and to avoid any possibility of dual liability under these two acts.

Mr. Chairman, I would like permission to have included in the record the proposed amendment together with an explanation.

Mr. O'BRIEN. Without objection it is so ordered.

(Document referred to follows:)

AMENDMENTS PROPOSED BY THE BUREAU OF THE BUDGET FOR INCLUSION IN THE
ALASKA OMNIBUS ACT

DEFENSE BASE ACT

SEC. —. (a) Paragraphs (2) and (3) of section 1(a) of the Defense Base Act, as amended (55 Stat. 622; 42 U.S.C. 1651, et seq.), are amended by striking out "Alaska;" in the parenthetical phrase in each paragraph.

(b) Paragraph (6) of section 1(a) of that Act is amended by striking out "or in Alaska or the Canal Zone".

(c) Section 1(b) of that Act is amended by striking the period at the end of paragraph (3), inserting in lieu thereof a semicolon, and adding the following paragraph: "(4) the term 'continental United States' means the States and the District of Columbia."

WAR HAZARDS COMPENSATION ACT

SEC. —. (a) Paragraphs (2), (3), and (5) of section 101(a) of the War Hazards Compensation Act, as amended (56 Stat. 1028; 42 U.S.C. 1701, et seq.), are amended by striking out "or in Alaska or the Canal Zone".

(b) Section 104 of that Act is amended by adding the following new subsection at the end thereof: "(c) The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State."

(c) Section 201 of that Act is amended by adding the following new subsection at the end thereof: "(f) The term 'continental United States' means the States and the District of Columbia."

EFFECTIVE DATES

Add at the end of the above entitled section (Section 43) of the "Alaska Omnibus Act" the following new subsection (g):

"(g) The amendments in section — and — shall take effect when enacted: *Provided, however,* That with respect to injuries or deaths occurring on or after January 3, 1959, and prior to the effective date of these amendments, claims filed by employees engaged in the State of Alaska in any of the employments covered by the Defense Base Act (and their dependents) may be adjudicated under the Workmen's Compensation Act of Alaska instead of the Defense Base Act."

Sections 7, 8, 9, 11, 15, 16, 20, 25, 26, 27, 30, 33, 36, 37, and 39 of the bill are essentially technical and perfecting in nature and either eliminate inappropriate references to Alaska or make other language changes which are considered appropriate because of Alaska's changed status.

The President on July 18, 1958, directed that the Bureau of the Budget, with the cooperation of the interested departments and agencies, undertake a careful study of the effects of Alaska statehood and develop a systematic and coordinated program for effecting the transition. The proposals reflected in H.R. 6091 represent the results of intensive study and analysis by the executive branch agencies concerned and discussions with representatives of the State of Alaska. We believe sincerely that the program which we have presented is sound and workable and will facilitate greatly Alaska's transition to full statehood.

The Bureau of the Budget urges early and favorable consideration of H.R. 6091, since its enactment is required to assure continuity of essential public services in Alaska and to provide for the orderly transition of Alaska from territorial status to statehood.

Mr. SEIDMAN. Mr. Chairman, that concludes my formal statement and if you desire, I would proceed with a summary of the major provisions of the bill, or await questioning, whichever you prefer.

Mr. O'BRIEN. I think, perhaps, it would be desirable to go over the major provisions of the bill to make the record clear.

Before you do that, I want to say that I think you and the entire executive branch of the Government should be complimented on working out this very complicated problem.

I think it is an excellent job. And while there may be amendments necessary, because when you start chasing around our laws to see which are affected and to what degree by this changed status to a State certainly, you run across many things, I do feel you have answered in very great measure the problem many of us are going to face when we get to the floor. Certain people who were opposed to statehood are going to say we told you so. I think you have made it very clear why it is necessary to have this transitional help. I think you have also made very, very clear when we carry Alaska through this transitional period, not only will Alaska zoom along on its own, but what we place at their disposal now will be invested to the good of the United States.

So, you may proceed.

Mr. SEIDMAN. As I indicated in my prepared statement, certain provisions of the bill are purely technical and perfecting. They either eliminate the use of the words, "Territory of Alaska" or inappropriate references. We endeavored to pick up as many of these statutes as we could. We are not sure we have them all. In fact, some agencies did not feel it important enough to amend the language in case of their own statutes, or, perhaps, they were seeking general amendments before other committees and were making the changes in those bills. However, I think we have a large proportion of these particular types of provisions covered in our bill.

I might just call attention, briefly, to what these sections are by name: Section 7 on the National Bank Act; section 8, Federal Reserve Act; section 9, Home Loan Bank Board; section 11, Coast Guard; section 15, wildlife restoration; section 29, opium poppy control; section 25, Gold Reserve Act; section 26, Silver Purchase Act; section 27, National Guard; section 30, Federal Property and Administrative Services Act; section 33, Congressional Record; section 36, Selective Service Act; section 37, real property transactions; section 39, aircraft loan guarantees.

These are all technical amendments which make no substantive changes in the law whatsoever.

The first amendment of significance in the bill would be in section 2, relating to Federal jurisdiction, which amends section 4 of the Statehood Act.

The purpose of section 4 of the Statehood Act, it would appear from legislative history, was much the same as similar provisions found in earlier statehood acts. It had what seemed to us a twofold purpose: One, a disclaimer by the State of Alaska to any claim to parts of the public domain which are not ceded or granted to the State by the Act; two, to establish absolute Federal jurisdiction over Indian and native lands.

I think this is made clear, for example, in the enabling act for North Dakota, South Dakota, Montana, Washington (25 Stat. 676), which provided in pertinent part as follows:

That people inhabiting said proposed States do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits, owned or held by any Indian or Indian tribe, and that until the title thereto shall have been extinguished by the United States the same shall be and remain subject to the disposition of the United States and said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States.

The way that section 4 of the Alaska Statehood Act is worded it is subject to the construction that it placed not only Indian lands, but all of the public domain under absolute Federal jurisdiction, which apparently was not the legislative intent. The purpose of our amendment is to clarify the language to make clear that absolute Federal jurisdiction is only retained over the Indian land or native lands or trust lands and that the Federal interest in the rest of the public domain will be a proprietorial interest. This is of great importance because if absolute Federal jurisdiction is asserted over all of the public domain land, it would raise some question. Even though there is a difference of opinion, I would say, among lawyers as to whether absolute jurisdiction and exclusive jurisdiction are synonymous, it certainly would raise a question as to the applicability of State laws within the public domain.

So, we feel this is a rather important amendment to the Statehood Act.

MR. SAYLOR. Mr. Chairman.

MR. O'BRIEN. Mr. Saylor.

MR. SAYLOR. Mr. Seidman, at that point, is there anything in this bill, especially section 42 which provides for your three-man commission to hear and settle disputes, to determine the aboriginal and possessory rights of the Indians, Eskimos, and Aleuts in Alaska.

MR. SEIDMAN. None whatsoever. As indicated in section 42, the section relates to the transfers of physical properties between the Federal Government and Alaska under 6(e) of the Statehood Act that relates to game management functions, or under the Alaska omnibus bill. This only is concerned with transfers of property between the Federal Government and the State of Alaska, which are necessary because the Federal Government is terminating or curtailing a function and the State of Alaska is going to assume a function. It will certainly have no affect whatsoever on native rights to land.

MR. SAYLOR. That has been, as you know, a very, very controversial problem before this committee and I was wondering whether or not that was in the back of the minds of the people who drew up this bill, that we were going to try to settle this complex problem by this three-man commission.

MR. SEIDMAN. I can assure you, Mr. Saylor, that was not the intent.

MR. SAYLOR. I just like to make sure we get that in the report in case some lawyer starts a suit and a court comes along and says whether you intended it or not, that is what you are doing. One of the big problems this committee will have, as far as the new State of Alaska is concerned, is to determine the rights of these people in Alaska.

MR. SEIDMAN. That is right. This, of course, was not settled by the Statehood Act and was left for future disposition, and we certainly have no intention, in this bill, to raise that problem.

Mr. SAYLOR. Thank you.

Mr. SEIDMAN. Are there any questions on section 2?

Mr. O'BRIEN. You mean——

Mr. SEIDMAN. About the Federal jurisdiction problem.

Mr. O'BRIEN. Are there any questions concerning section 2?

Mr. HALEY. Mr. Chairman.

Mr. O'BRIEN. Mr. Haley.

Mr. HALEY. The gentleman was discussing section 2 as it appears on the first page of 6091?

Mr. SEIDMAN. Yes.

Mr. HALEY. I believe your statement is that this amendment—of course, I am surprised that we have here within just a few months after passage of the Alaska statehood bill, a bill consisting of 31 pages to correct some of the things that appear in the Alaska State original bill. I thought that bill was such a fine bill and would probably never need any additional corrections or anything else. I thought that was the last word in statehood bills.

What I want to ask——

Mr. SAYLOR. It was for Alaska.

Mr. HALEY. Yes, I know. Probably we could have straightened out a few of these things, if some of the men had not been sold so well on the proposition that this was such a good bill that it needed no amendments.

What you are talking about in section 2 only pertains to the lands held for the Aleuts and the Indians, is that correct?

Mr. SEIDMAN. No. The effect of the amendment applies only to the public domain land owned by the United States, other than native lands of the Aleuts and Indians. Under the provisions of the Statehood Act, it appears that the language can be construed to apply absolute Federal jurisdiction not only to the native lands, but would apply to all the Federal public domain. This amendment would confine the absolute jurisdiction to the native lands.

Mr. HALEY. What I want to say is this. Let me put it this way: Your proposed amendment, or the language in this bill would still leave the native lands belonging to or set aside for the Indians and Aleuts under the complete control of the Federal Government?

Mr. SEIDMAN. That is correct.

Mr. HALEY. That is all.

Mr. O'BRIEN. Are there further questions?

Mr. SAYLOR. I have some questions, but not section by section.

Mr. O'BRIEN. Not on section 2?

Mr. SAYLOR. No; but with regard to his general statement, I have a few questions I would like to ask.

Mr. O'BRIEN. I think that might be desirable as long as the questions have to do with the general statement.

Mr. SEIDMAN. Any way you desire to proceed, sir.

Mr. SAYLOR. At the bottom of page 1 and top of page 2, you list the five purposes of the bill. Can you tell us what special programs with regard to Alaska will be terminated?

Mr. SEIDMAN. The special programs for Alaska that will be terminated are the Alaska special grants for mental health, the special grant for general health, the program which authorizes the Secretary of the Interior to construct recreational facilities in Alaska, and the pro-

gram for operation of airports in Alaska, the special program with respect to highways where they are under a special provision. As you will recall, the Department of Commerce performs the functions in Alaska normally performed by a State highway department.

Mr. SAYLOR. Then number 4, where you say you intend to clarify the application of certain laws to Alaska, it is not the purpose of this bill to give special treatment to the new State of Alaska; is it?

Mr. SEIDMAN. No. The purpose of the bill is to give the State of Alaska equality of treatment. However, it does. I will say, preserve in a few minor things, laws which do not affect Federal-State relationships, but recognize certain economic factors in Alaska in the administration of a Federal program.

Mr. HALEY. Will the gentleman yield?

Mr. SAYLOR. Yes.

Mr. HALEY. Would it also have any bearing on the scale of pay and the 25 percent you get in Alaska over the grade of pay to the people of the States?

Mr. SEIDMAN. No, Mr. Congressman. All matters relating to Federal personnel in Alaska and cost of living differential and fringe benefits are being handled separately and are under separate study, and separate legislation will be presented some time in the future on that.

Mr. HALEY. The matter of 25 percent differential in pay is handled administrativewide, is that correct?

Mr. SEIDMAN. No, sir; it is handled by law up to 25 percent, but that statute has been interpreted by the Civil Service Commission, and the General Accounting Office, to remain applicable to Alaska until the Congress determines otherwise. There is nothing here that would affect that. We are currently studying the whole problem of fringe benefits and cost of living differentials which has been complicated by Hawaii being now in prospect as a State.

Mr. HALEY. Will the gentleman yield further?

Mr. SAYLOR. Yes.

Mr. HALEY. I do not want to belabor this matter, but there was so much testimony about bringing the new States in as equal partners, it comes somewhat as a little bit of a surprise to me that, inasmuch as you want them on equal terms, that now we would be placed in the situation here of paying not only a 25 percent additional amount of salary in Hawaii and Alaska, but also that that would be exempt from Federal income tax. This bill, you say, will do nothing to change that situation.

Mr. SEIDMAN. The other problem is under current study and consideration. I do not want to hazard what the answers are going to be.

Mr. HALEY. I hope the departments involved down there will study the matter very carefully and finally come up with the proposition that regardless of where a man is serving in the United States, he should not have any additional compensation. As a matter of fact, right here in the District of Columbia, the cost of living is probably as high as anywhere else in the Nation.

Mr. SEIDMAN. I think on this point. I would make clear for the record, while it is not covered in the bill, the position the administration has taken is the ceiling ought to be taken off the 25 percent differ-

ential, because the cost of living in Alaska, in certain of the cities at least, exceeds that in the District of Columbia by over 60 percent. So, I think it is a factor that has to be taken into consideration.

Mr. SAYLOR. One of the bills on which our chairman, Mr. O'Brien took a great deal of castigation was the bill providing for the care of the mentally incompetent of Alaska. We did a lot of work on that bill. We set up a program of transition from complete Federal support of the mentally incompetent, handling them on the west coast in Oregon, and we established a hospital in Alaska and made provision for taking care of them in Alaska. Is this provision which you have referred to on page 3 an attempt to terminate the provisions of that bill before the provision of the bill itself calls for it?

Mr. SEIDMAN. No. As far as the construction of the mental health institution, Mr. Saylor, the appropriations have already been made for that purpose. That act has been executed. There was, in addition, an authorization for a grant program to Alaska to assist it in developing its mental health facilities and training which would have extended up to 1967. This program would be terminated, but the amounts of money that Alaska would have received under that program will be given to them and taken into account on the transitional grant. So, the full amount which would have been authorized, under the mental health program, is included, but not as a separate program.

Mr. SAYLOR. Not included as a separate item?

Mr. SEIDMAN. That is right.

Mr. SAYLOR. Is there any change in the provision that the Federal Government will remain responsible for those citizens of Alaska who are now in the hospital in Oregon?

Mrs. VAN CLEVE. I believe, Mr. Saylor, the Territory of Alaska assumed responsibility for those people at the time of the transfer of the functions, and that would be perpetuated. So, there is no change in that situation.

Mr. O'BRIEN. Will the gentleman yield?

Mr. SAYLOR. Yes.

Mr. O'BRIEN. If Alaska had remained a Territory a great many of these expenditures which are contemplated in this bill would have been made by the Federal Government in that event, is that correct?

Mr. SEIDMAN. That is absolutely correct. In fact, almost all of them.

Mr. O'BRIEN. When we are speaking dollarwise, we are not speaking of a new figure on top of what it has been costing the Federal Government in the past, this is a substitute in most respects for what the Federal Government was spending on the Territory.

Mr. SEIDMAN. The difference between the net Federal expenditures in 1960 for Alaska, if it had been a Territory and what is provided under the transitional grants is somewhere in the neighborhood of about \$200,000.

Mr. O'BRIEN. I am glad you made that point.

Mr. SAYLOR. Then the provision in the Housing Act which recognizes the factor you referred to a little while ago of the increased costs in Alaska, is still maintained under this bill, is that correct?

Mr. SEIDMAN. That is correct. And I think I should add: This gives no special benefits to the State. In the administration of the act, the Federal Housing Commissioner must maintain all standards of

insurability and construction standards. I think it is worth putting in the record what these differences are. I think we have precedent in various acts where we not only authorize flexibility and make differences between States, but within areas within States on the basis of economic or other differences.

It is usually under a general provision. If you had a general provision authorizing it in any State where costs exceeded those in the general average by 100 percent, it would be applicable to Alaska.

For example, from the figures we have obtained from the Housing and Home Finance Agency on property values on new homes—this is in 1957, the last year we have the figures—the median property value for all of the States as a whole is \$14,261. For Alaska, it is \$30,125. That is more than 100 percent higher. And the next highest State is in the neighborhood of \$16,000. So, there is a tremendous discrepancy. If you did not retain this, we felt it would really result in an inequality for individuals living in Alaska.

Mr. SAYLOR. Then on page 4, I think this is a clarifying statement, but I want to make sure. You state that the transfer of the Federal courts and State courts is already provided for in the Statehood Act.

Mr. SEIDMAN. That is correct.

Mr. SAYLOR. And the transfer of the game management functions is covered by section 6.

Mr. SEIDMAN. That is right.

Mr. SAYLOR. There is nothing in this act that is intended to interfere with the authority of the Alaska Legislature to adopt appropriate game laws and, if they meet the requirements, to permit the Secretary of the Interior to then turn over the management of fish and game to the new State of Alaska, is that correct?

Mr. SEIDMAN. That is correct. There is nothing in this act that relates to that, Mr. Saylor. The only thing in this act which is of some significance is our section dealing with property transfers which would permit some greater flexibility in transferring property to the State of Alaska, which is used for the conservation of the fish and wildlife resources. The language of 6(e) of the Statehood Act authorizing property transfers is quite restrictive.

Mr. SAYLOR. Then the grants which you refer to on page 5 are not new grants to the State of Alaska, they are merely consolidating the present grants to the Territory and outlining the period for which they shall be made.

Mr. SEIDMAN. It does two things, Mr. Saylor: It consolidates the grants formerly available, plus the Federal appropriations for those operations which the Federal Government formerly carried on in Alaska, the special programs which will be transferred to the State. I would say that at the end of the 5-year period, this is going to save the Government some money.

We were not looking at it from that point of view, but it is true as the State assumes the functions at the end of the 5-year period the cost will no longer be borne by the Federal Government.

Mr. SAYLOR. And this is to take away from the Federal Government the control of those functions and to turn the sum of money over to the new State of Alaska without specifically earmarking it?

Mr. SEIDMAN. That is correct. We felt that the State should have the right to make the judgment. The Federal Government should stop, when it is a State, making the decisions for the new State.

Mr. SAYLOR. Then the other question I have with regard to courts: You have not extended any jurisdiction of any court, you merely provide where the court shall sit in Alaska; is that correct?

Mr. SEIDMAN. That is correct.

Mr. SAYLOR. I want to commend you, Mr. Seidman, and the people who worked under you, because while this may not be a perfect bill—no piece of legislation is perfect—at least, you have done a tremendous job in the light of the act Congress passed last year admitting Alaska to statehood. I think, if we take prompt action on this bill, it will help greatly the new State to better assume its position in the sisterhood of States.

Mr. SEIDMAN. Thank you very much. I want to make clear this is a total effort by the entire executive branch of the Government and many people were involved in working and developing the bill.

Mr. O'BRIEN. The gentleman from Alaska?

Mr. RIVERS. Mr. Chairman.

Mr. O'BRIEN. The gentleman from Florida is recognized.

Mr. HALEY. I will be happy to yield to the gentleman from Alaska. I might say to the people from Alaska out there, he is making you a very good Representative and I am happy to have him with us.

Mr. RIVERS. My first comment is to thank my distinguished colleague from Florida for those remarks and to join with the chairman in commending you, Mr. Seidman, for spearheading the work on this bill, and other members of the executive for the very complete and conscientious job that has been done.

I want to refer to the last three lines on page 7 of your statement in which you say in estimating the amount of the airport transitional grant for fiscal 1960 at \$4½ million, that you contemplated that as being pertinent to capital improvements at the Anchorage and Fairbanks airports.

I would like to ask, does that \$4½ million include a capital enlargement which would consist of extending the runways of the two international airports at Anchorage and Fairbanks?

Mr. SEIDMAN. That is correct. It was in full contemplation that the runways of both airports would be extended if the State's desire was it should be. We are giving Alaska the financial capacity to do that.

Mr. RIVERS. The idea was to bring the airstrips abreast of the jet age and jet transportation; is that correct?

Mr. SEIDMAN. That is correct.

Mr. RIVERS. And you were cognizant of the fact foreign carriers are now landing at those airports in connection with intercontinental transportation?

Mr. SEIDMAN. That is correct.

Mr. RIVERS. But that \$4½ million did not contemplate any money to be turned over to the new State for expanding the passenger terminal facilities did it?

Mr. SEIDMAN. No. We did not contemplate that because the Federal Aid Airport Act passenger facilities are not eligible under that act for Federal assistance.

However, if the State wanted to take part of the transitional grant and use that for constructing terminal facilities, there is nothing in this act that would prevent them from doing it. They could not use matching funds for that purpose under Federal aid to airports.

Mr. RIVERS. What I am trying to bring out, now that Alaska is a State, it will be primarily responsible for expanding the passenger terminal facilities?

Mr. SEIDMAN. That is correct. As you know, economically terminal facilities make money, so there should not be any major problem in financing the additions required for terminal facilities.

Mr. RIVERS. I also want to refer to the second paragraph on page 8, in which you say that you have been assured that Alaska would be willing and able to assume the added costs of statehood that are now being borne by the Federal Government.

Mr. SEIDMAN. Yes.

Mr. RIVERS. The second paragraph on page 8. Is it not a fact, Mr. Seidman, that the Federal Government has a fixed determination to get out of the civil airport business in Alaska and to put Alaska on an equal footing in virtually every respect?

Mr. SEIDMAN. That is correct.

Mr. RIVERS. And that that determination that we were definitely put on an equal footing was arrived at by the present administration, by the President, and by the Bureau of the Budget before Alaskans were consulted?

Mr. SEIDMAN. That is correct.

Mr. RIVERS. But you have found we have concurred with you largely along that line.

Mr. SEIDMAN. Yes. Of course, we discussed this with Governor Egan, when we went to Alaska, and others. I will say there, of course, they did not have a chance then, in view of the time limitation, to make a thorough study of the situation, but it was discussed with them.

Mr. RIVERS. But you are also aware that certain people in Alaska have objected to our having to take over these airports on such short notice; is that correct?

Mr. SEIDMAN. That is correct. And we have met with the representatives of the Anchorage Chamber of Commerce and others, and at the last meeting, I think, they were reasonably satisfied that this was a workable arrangement.

Mr. RIVERS. But nevertheless, Alaska, then, has no alternative but to proceed along the lines set forth in this omnibus bill; is that correct?

Mr. SEIDMAN. That is correct. Of course, the one alternative Alaskans would have under the provisions of this bill, if they did not want to immediately assume responsibility for the Anchorage and Fairbanks airports, would be to ask the President, under the authority provided in 40 (b), to continue direct Federal operations and to allocate from transitional grants for financing. This would be most disadvantageous, in my view, for the State, because two things would happen.

One, the revenues of these airports, which have generally exceeded the appropriations which Congress has made for the airports, would go into miscellaneous receipts, so they would lose about \$1.1 million as a result.

Secondly, if you directly allocate, then the money could not be used for matching under the Federal aid airport program; so they would not have sufficient funds to go ahead with the capital improvements required.

Although they could do this—the option is given to the State to request the President to continue direct Federal operation for an interim period—in my view it would be most disadvantageous for the State to do this.

I might explain a little how the use of the grant money for matching purposes works, because it would not be direct.

The grant is un earmarked and goes into the general treasury of Alaska, thereby releasing an equivalent amount of State funds to be used for matching purposes. You would not take the Federal grant money directly for matching purposes.

Mr. RIVERS. I am glad you brought that out. In other words, the Federal Government does not want any chaotic conditions to arise on the transfer of these airports from the Federal Government to the State; is that right?

Mr. SEIDMAN. We have tried to write into the bill every precaution we could to avoid any disruption or impairment of service during the transfer.

Mr. RIVERS. Should the State not be ready with its organization and arrangements to take over certain of these facilities the Federal Government would continue operations, upon the request of the Governor of Alaska, and these Federal agencies would be paid out of some of this transitional grant money?

Mr. SEIDMAN. Yes.

Mr. RIVERS. So, the more money we spend out of these transitional grants having Federal agencies continue the operation of these programs, the less money we are going to have left out of the Federal grants at such time we do take over?

Mr. SEIDMAN. That is absolutely right.

Mr. RIVERS. You probably considered that that arrangement is an incentive for Alaska to get busy and take over as soon as possible?

Mr. SEIDMAN. That is correct, Mr. Rivers. I might point out another feature of the bill.

There is no real reason why they should not take over as quickly as possible because they can contract with the Federal agency to continue the actual operation. The Federal agency then would be acting as an agent for the State and would be reimbursed by the State for the service. This would permit the gradual assumption by the State of responsibility for the direct operations and avoid any impairment of the services.

Mr. RIVERS. On the last paragraph of page 10, you speak about early and favorable consideration of this bill, H.R. 6091. I would ask you if July 1 next is not the target date for the State to take over these programs?

Mr. SEIDMAN. That is correct. This is a matter of great urgency because there is no money in the 1960 budget for either the health programs or the airport operations, or these other functions which are covered by the provisions in this bill. So, the only financing will be through the transitional grant device.

Mr. RIVERS. And the appropriations would be, we hope, brought out affirmatively, pursuant to this bill.

Mr. SEIDMAN. In other words, we have two stages: We have to have this bill enacted as authorization and then obtain the appropriations for the very essential services in Alaska.

Mr. RIVERS. I yield back.

Mr. SAYLOR. Will the gentleman yield?

Mr. HALEY. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to make this observation to my good colleague from Alaska. Some of the folks in Alaska who disagreed with certain provisions of this bill have written to me. I take the position that there were some people in Alaska that did not want statehood. We had a majority vote and the majority won. I think this bill is designed to help the majority of the people that live in the new State of Alaska. I do not know how we are ever going to get any bill that is going to satisfy everybody on everything. I think that this bill will go a long way toward helping the people of Alaska to do a real job as a new State. I would recommend that this bill be enacted, following the example that our chairman, Mr. O'Brien, and myself took with the Virgin Islands. We took an awful lot of criticism from a dissident group down there, but just last week we were privileged to have that same group come back up here after they had lived with the Virgin Islands Act for a few years, and admit finally, it is the best thing that ever happened since the United States bought them in 1917. I think this bill will do the same thing for Alaska.

Mr. RIVERS. I thank my colleague for those comments.

Mr. O'BRIEN. Are there any further questions?

Mr. HALEY. Mr. Chairman, the gentleman has been operating on my time. I have a few questions.

On page 5 of the report, you set forth the amounts that would be authorized. Am I correct that those figures total \$271½ million?

Mr. SEIDMAN. That is correct.

Mr. HALEY. You also stated in your remarks that the difference between the amounts that would come from the Treasury of the United States to Alaska in these funds is only approximately \$200,000?

Mr. SEIDMAN. Slightly over \$200,000; that is correct.

Mr. HALEY. That is over a 5-year period of time?

Mr. SEIDMAN. No, that is the first year.

Mr. HALEY. The first year.

Mr. SEIDMAN. It would run roughly—I do not have it right here—for example in 1961 the difference would be about \$250,000. It runs about the same.

Mr. HALEY. About the same?

Mr. SEIDMAN. Yes.

Mr. HALEY. How many agencies of the Federal Government, if you know, would be taken over by the State of Alaska?

Mr. SEIDMAN. I think I can—not agencies of the Federal Government, but I think functions.

Mr. HALEY. Functions of agencies.

Mr. SEIDMAN. There will be the Anchorage and Fairbanks Airports and then some 17 intermediate and primary airports. There will be approximately, all together, 19 airports. The functions of constructing and maintaining highways, other than those in forest highways, which are now performed by the Bureau of Public Roads in Alaska. The functions of law enforcement which has always been performed by the Federal Government. The prison functions, the judiciary, functions under fish and game management in Alaska are included.

The other programs covered here are the recreational facilities, which were constructed by the Department of the Interior, and turned over to the Territory previously. This program will be terminated. The functions of constructing recreational facilities would go over to the new State.

Mr. RIVERS. Will the gentleman yield?

Mr. HALEY. Yes.

Mr. RIVERS. You intend to include some special health programs, do you not?

Mr. SEIDMAN. That is right. However, the money will go to the State. The Public Health Service provided assistance to the State, and will continue to do so. I will ask the Public Health Service representative.

Mr. NASH. Robert Nash of the Public Health Service. The first grants that would be terminated by the omnibus bill is one that is currently \$638,000, which is granted to Alaska, administered by Alaska, not administered by the Federal Government. The other grant, Alaska mental health enabling grant for carrying out integrated mental health program, including inpatient care, is also granted to, and administered by the Alaska Department of Health. So, there is no transfer of functions as between the Federal Government and the State.

Mr. SEIDMAN. Thank you very much.

Mr. RIVERS. By the termination of these former Federal appropriations?

Mr. NASH. That is correct.

Mr. SEIDMAN. I was not certain what the relationship was here.

Mr. HALEY. So, the making of these grants to the State of Alaska, should then in 5 years bring about a substantial reduction in personnel of these various agencies.

Mr. SEIDMAN. That is correct, Mr. Haley, and we have already eliminated these items elsewhere in the Federal budget. They do not appear there.

Mr. HALEY. In regard to the building of roads, if I understand the situation, Alaska had no proposed construction of roads under our National Federal Highway Act. Is that substantially correct?

Mr. SEIDMAN. Alaska did not come under the provisions of the Federal Aid Highway Act until 1956, and then under a special formula, where only one-third of the land area was included for apportioning funds under that act. On the other hand, Alaska had the authority to use funds for maintenance which was not an authority available to other States.

Under the provisions of the Alaska omnibus bill, Alaska will be brought under the Federal aid highway program on the same basis as any other State. Funds will not be available for maintenance, but the full land area will be included.

Mr. HALEY. Let me ask you this, then: If Alaska is brought under the Federal Highway Act, it will be necessary, later on, or now, to increase the 41,000 miles of Federal highways, would it not?

Mr. SEIDMAN. I think there will be separate testimony from the Department of Commerce on the highway program. This would be on the interstate program, as to whether they would have to add additional mileage. I would prefer they would answer that question.

Mr. HALEY. All right. Getting back to the construction of roads, will Alaska be penalized, you might say, under the proposed act, where she could not participate in any highway funds?

Mr. SEIDMAN. I do not think you can say they are penalized. To the extent they do not receive funds under the Interstate System, they will not be in as favorable a position as other States which have received funds under the Interstate System. That is as I understand it, and I would rather clarify that all of the money has been allocated for the Interstate System, or the miles have been allocated.

Mr. HALEY. One of the great arguments for statehood for Alaska was its vital role that it might play in our defense system, and inasmuch as the Federal Highway Act principally was created because we wanted to build highways, certainly we should not now leave Alaska completely out in the cold. If it is necessary to build roads for national defense, then I think that Alaska certainly should be given some consideration in that respect. Do you agree with that?

Mr. SEIDMAN. That is correct. Certain highways were built in Alaska for defense purposes, many of them by the former Alaska Road Commission. There is nothing in our bill which would, in any way, discriminate against Alaska. It would provide for full coverage for Alaska under the provisions of the bill. To the extent, they are applicable and to the extent funds are available, Alaska will receive the full benefits available to any other State under the Federal aid to highway program.

Mr. O'BRIEN. Will the gentleman yield?

Mr. HALEY. Yes.

Mr. O'BRIEN. I might say we had a little gentlemen's agreement when our former colleague, Mr. Allen arrived that Mr. Seidman would suspend, if we had not concluded and have Mr. Allen testify. I think that might fit in with the line of questioning you have been engaged in, Mr. Haley, because our witness, at this point, will be Hon. John J. Allen, Jr., Under Secretary of Commerce for Transportation, and he is accompanied by Mr. Ellis Armstrong, Commissioner of Public Roads, and Mr. Frank C. Turner, Deputy Commissioner of Public Roads.

Mr. HALEY. May I ask one additional question of Mr. Seidman?

Mr. O'BRIEN. Surely.

Mr. HALEY. It is my understanding that in the judicial setup for Alaska you have no Federal judge, you are in the ninth judicial circuit, is that right?

Mr. SEIDMAN. There is no Federal judge at the moment. There will be. When the President issues an Executive order, there will be a single Federal District Court for Alaska. At the present time, you have the Territorial courts still in operation.

Mr. HALEY. When that is accomplished, then you will have a Federal judge sitting in Alaska and it would not be necessary for him to come back to Seattle and so forth.

Mr. SEIDMAN. That is right.

Mr. HALEY. Alaska will be a separate judicial circuit where the judge will sit in Alaska.

Mr. SEIDMAN. Not circuit but district. The ninth circuit does not sit in Alaska now. Under this bill, they have to hold session in the State of Alaska. In the present situation, you almost deprive people

of the right of appeal because they would have to carry appeal down to San Francisco or Seattle.

Mr. HALEY. That is the point of my next question. This court would sit in Anchorage.

Mr. O'BRIEN. Thank you very much.

Mr. SEIDMAN. I assume you will want to have me return.

Mr. O'BRIEN. What is the feeling of the committee? We were going to take Mr. Seidman through the sectional analysis, but I think in asking him about his statement, we got into a great many of those sectional points.

Mr. SEIDMAN. I will be here, Mr. Chairman, and plan to sit through the session. So, any time you want to call me back for further questioning, I will be available.

Mr. O'BRIEN. Thank you very much.

We have a very special warm welcome for Hon. John Allen. For many years he was a member of the House and chairman of the great Committee on Merchant Marine and Fisheries, and former member of this committee. You are very welcome.

Mr. ALLEN. Thank you, Mr. Chairman.

(Discussion off the record.)

STATEMENT OF HON. JOHN J. ALLEN, JR., UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION, ACCOMPANIED BY ELLIS ARMSTRONG, COMMISSION OF PUBLIC ROADS; AND FRANK C. TURNER, DEPUTY COMMISSIONER OF PUBLIC ROADS

Mr. ALLEN. Mr. Chairman, I have a prepared statement which I would like to read into the record.

I am pleased to appear before you for the purpose of discussing the portions of H.R. 6091 which relate to the activities of the Department of Commerce in the State of Alaska.

Since enactment of the Federal Aid Highway Act of 1956, when the Department of Commerce acquired the functions and property of the former Alaska Road Commission from the Department of the Interior, the Bureau of Public Roads has performed highway functions in Alaska which are normally performed by the State highway department. H.R. 6091 is designed to permit the State of Alaska to assume these functions in an orderly manner, and to accomplish the transition without interruption of or interference with the road program. The Department believes that H.R. 6091 is necessary and desirable legislation, and strongly urges its enactment.

Section 21 of the bill, relating to highways, would provide for assumption by the State of Alaska of the same functions now performed by all other States in connection with the construction and maintenance of roads. It would direct the Secretary of Commerce to transfer to the State of Alaska by appropriate conveyance, and without compensation, the majority of the real and personal property now held by the Bureau of Public Roads in connection with its current responsibilities in Alaska.

Property which would not be so transferred to the State would include that property, real or personal, which the Bureau of Public Roads will require in continuing to perform in Alaska, as elsewhere in other States, its usual Federal functions and responsibilities, such

as those in connection with the forest highway program, road work in national parks and monuments, and the administration of the Federal aid program itself. Also excepted from the required transfer would be those lands and interests in lands which the Secretary of Commerce or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

The Bureau of Public Roads would complete any existing contracts it has previously entered into in connection with its activities in Alaska. This provision will aid an orderly continuation of highway operations.

The bill would repeal or amend those portions of existing law which provide for Federal aid for highways in Alaska under conditions varying from those applicable to other States. These provisions first appeared in the Federal Aid Highway Act of 1956. They permit a matching ratio of approximately 91 percent Federal to 9 percent State on all projects, and the use of Federal aid funds for maintenance of highways and Federal aid participation in ferry construction and operation.

The State of Alaska would be made responsible under the bill for the maintenance of the roads which would be transferred to it. This will be in line with road functions performed by all other States. Federal aid funds apportioned to Alaska under existing law for fiscal year 1960 and prior fiscal years, which are unobligated on the date of enactment of the bill, may continue to be used under its terms for maintenance of highways on the Federal aid systems in Alaska.

Section 40 of the bill, providing for transitional grants, is also of importance to the function of the Bureau of Public Roads. Under subsection (a) of that section, transitional grants could be made by the President to the State of Alaska in order to assist the State in accomplishing the transition from Territorial status to statehood. This provision, in addition to that permitting the State to use certain Federal aid funds already apportioned to it for maintenance, will enable the essential highway activities, including maintenance, to be continued without interruption.

The Governor of Alaska could submit to the President under subsection (b) of section 40, a request that a Federal agency continue to provide services or facilities in Alaska for an interim period until such services or facilities are provided by the State, but this interim period could not extend beyond June 30, 1964. The President could allocate the funds necessary to finance the provision of such services or facilities from the grants authorized under this section.

A Federal agency, such as the Bureau of Public Roads, could also perform services for Alaska in another way under subsection (c) of this section. After the transfer to the State of Alaska of any property or function of the Federal Government and until June 30, 1964, the head of the Federal agency having administrative jurisdiction over such property prior to its transfer could contract with the State of Alaska for the performance of some or all of the functions it has performed prior to such transfer. Alaska would be required to reimburse the agency for the services performed.

The Bureau of Public Roads, therefore, could operate under either subsection (b) or subsection (c) of section 40 of the bill in performing services for the State.

The Department of Commerce will carefully plan its operations in connection with the proposed transition so that there will be a minimum of disruption to the highway program in Alaska and to the functions which the Bureau of Public Roads will continue to perform in Alaska after the transition period. For example, the forest highway program in Alaska will continue under the direct administration of the Bureau. The forest highway system in Alaska includes about 400 miles of roads on which approximately \$2½ million is expended annually. The Bureau of Public Roads also directly supervises the construction of major roads within Mount McKinley National Park. While about \$500,000 annually is now being programmed for these roads, the long-range program of the National Park Service contemplates expenditure of somewhat larger sums in the near future.

We will, of course, prepare an inventory of all property, real and personal, now owned or administered by the Department in Alaska.

We also will prepare an appropriate form of conveyance covering all the properties which are to be transferred to the State. This document will be all-inclusive and supported by such detailed listings, together with appropriate reference to maps and other exhibits as to fully cover all property to be transferred. The Bureau of Public Roads is already working toward these objectives. The bill does not specify a date for the proposed transfer of highway functions to the new State of Alaska. We are aware that it is desirable that such transfer be made as expeditiously as possible, but this will be a matter for negotiation with the State.

It will be necessary to develop fiscal and other procedures necessary to administer operations under section 40 of the bill whereby the Bureau of Public Roads may perform services for the State, whether the Bureau performs those services directly or on a reimbursable basis under a contractual arrangement with Alaska. With respect to contracts for construction, the Bureau could either (1) award the contract and make payments thereunder from funds made available to it by Alaska, or (2) prepare the contract for award by Alaska with the Bureau supervising the work until completion. The latter arrangement would be similar to that now existing between the Bureau and the National Park Service relative to park roads and parkways.

Public Roads is now furnishing services from some of its equipment depots and other facilities to other Federal agencies. Arrangements should be made with Alaska to continue such services as may be desirable. Arrangements should also be made for the use by Alaska of sources of material on Federal lands which are now available to Public Roads for use in highway construction. We anticipate that other problems and details such as these may arise in the course of the transition period.

H.R. 6091 has been exhaustively reviewed and studied, and the Department believes it provides a good, workable method of transferring road activities to the State. You may be assured that we will cooperate in every possible way toward an orderly transition in the transfer of functions to the new State. The Bureau of Public Roads will assist the State in assuming its new responsibilities with the objective that within the transition period provided for under H.R. 6091, Alaska's highway program in every respect will become comparable with those of other States.

Mr. Ellis L. Armstrong, Commissioner of Public Roads, and members of his staff are here with me today. We will be very happy to answer any questions which you may have with respect to the provisions of the bill and their effect upon the Department of Commerce and upon the State of Alaska.

Mr. O'BRIEN. I thank you for the committee and myself, Mr. Allen. I would like to say, as I said to Mr. Seidman, you have done a lot of homework.

The gentleman from Florida, Mr. Haley.

Mr. HALEY. I might say, you made a very fine statement here and it indicates the Department has done their homework. I would like to propound the same question to Mr. Allen that I propounded to the previous witness. In view of the fact that all of the mileage of the interstate Federal highway system has been allocated, or approximately all of it, is it going to be necessary for the Congress to enact additional legislation to give Alaska the benefit of that program?

Mr. ALLEN. My understanding of the situation is that all mileage has been enacted and as to any additional mileage, whether in Alaska or elsewhere, additional congressional action is required.

Mr. HALEY. Your department would certainly recommend that such action be taken; would it not?

Mr. ALLEN. I would rather reserve that question until we see what action is requested and consider the problem when we know what it is.

Mr. HALEY. Suppose Alaska needs 1,000 miles of additional road. That would not be out of line, would it, in view of the fact we already have in the 41,000 miles approximately 1,000 miles per State. Alaska being at least one of the larger States in area, it would not be out of line that an additional 1,000 miles be added to that program; would it?

Mr. ALLEN. I would have the offhand opinion that no criterion of that sort would be applied. It would seem to me if there were cities in Alaska that should be connected up with population centers in the cities that would be comparable to the similar situations in the other States, then we would consider a mileage that would connect up the cities. A thousand miles of highways, say in the State of Rhode Island, might be under a different criterion than 1,000 in the State of Alaska or Texas. So, I think we would have to consider the problem to be met and the mileage that would be involved to meet it.

Mr. HALEY. The gentleman certainly has not only done his homework, he is also well versed in answering questions before a committee.

Of course, I do think the committee knows my position on the Alaska statehood bill. Inasmuch as you have them in here, I think in all fairness they should immediately, or as soon as possible, be brought into this highway program. In the first place, I would like to go up there myself and I would like to go by car and see some of the sites.

I think in fairness, there should be legislation introduced to give them a reasonable amount of participation in that program. Since they have come into the Union as a State, they are going to be paying, of course, their proportionate share of the additional taxes levied and certainly they should not be completely cut out of this program.

Mr. ALLEN. I would agree entirely that there should be no discrimination for or against Alaska.

Mr. O'BRIEN. I would like to say at this point, the gentleman's position on statehood has been well known for both Alaska and Hawaii. I was impressed during the fight—I think that is the only word to use—along the way by his efforts, in spite of his opposition, to make sure if we were to report out a bill, it would be the best possible bill. I think his attitude here this morning is along that same line. He opposed statehood, but he also believes if we are going to have a bill, we have a good bill. I think that is the opinion of all of the members of this committee with regard to the gentleman from Florida.

The gentleman from Pennsylvania, Mr. Saylor.

Mr. SAYLOR. Mr. Allen, probably completely unexpectedly, you have opened up for me a whole Pandora's box. I may ask you some questions I have been trying to get the answers to for a long time. It has to do with page 4 of your statement. It says the forest highway program in Alaska will continue under the direct administration of the Bureau.

First, I would like to find out how the Bureau of Public Roads has direct administration of the highway program in Alaska.

Mr. ALLEN. May I ask that be fielded by Mr. Armstrong?

Mr. ARMSTRONG. Through, of course, the Forest Service. We act as the engineering agent for the Forest Service. That is we will and we do.

Mr. SAYLOR. Does this apply to all of the national forests?

Mr. ARMSTRONG. Yes.

Mr. SAYLOR. Do you have this same agreement with the Department of Agriculture?

Mr. ARMSTRONG. Generally, that is true. I think there may be one or two exceptions. That is the general approach we have with all of the States on national forests in each State.

Mr. ULLMAN. Will the gentleman yield?

Mr. SAYLOR. Yes.

Mr. ULLMAN. This applies to the forest highway program and not to the so-called forest access program we talk about in relation to access to timber areas. You do not have any supervision over the forest access program?

Mr. ARMSTRONG. In some instances, where we have been requested to do the engineering work, we act as agent for the Forest Service.

Mr. ULLMAN. But, generally speaking, the Forest Service itself does its own engineering on those access roads; do they not?

Mr. ARMSTRONG. Yes; that is right.

Mr. ULLMAN. The forest highways program has to do with the public highways, major transportation lines that cross through our national forests; is that not correct?

Mr. ARMSTRONG. That is generally correct; yes.

Mr. ULLMAN. The national forest highway program is distinguished from the access program which is an access into the forest areas?

Mr. ARMSTRONG. Yes.

Mr. RIVERS. Will the gentleman yield?

Mr. SAYLOR. I will be happy to yield.

Mr. RIVERS. I think what the gentleman from Pennsylvania is getting at is that Alaska had a Federal agency, known as the Alaska Road Commission, building roads and maintaining roads throughout the

general public domain in Alaska outside of the reserved areas and the forest reserve. The Bureau of Public Roads, 2 or 3 years ago, just managed to fall heir to the duties of the Alaska Road Commission, when it went out of existence and its functions were absorbed by the Bureau of Public Roads, and that is how the Bureau of Public Roads got to building roads all over Alaska. After this transition takes place, the Bureau of Public Roads will no longer have to do with the public domain, but will be carrying on only within the forest areas; is that correct?

Mr. ARMSTRONG. With a program very similar to what we have in all of the other States.

Mr. SAYLOR. Mr. Armstrong, my next question has to do with supervising and construction of roads within the Mount McKinley National Park. I want to know how the Department of Commerce gets into that picture?

Mr. ARMSTRONG. We act as agent for the Park Service on the designing and building of roads.

Mr. SAYLOR. That has been my understanding, but just a few days ago, we had the Director of the Park Service, sit right down there and say you did not. I am trying to find out who knows what he is talking about.

Mr. ARMSTRONG. Well, we do act as the engineering agent for the Park Service in our national park areas. It is on request and agreement with the Park Service.

Mr. SAYLOR. Who decides where the road is going to go?

Mr. ARMSTRONG. That is generally the realm of responsibility of the Park Service, and then after that is determined, where the roads should go and when they should be built, and so on, we act as the engineering agent to follow through with design and construction.

Mr. SAYLOR. Does the Director of the Park Service have any veto power over you, or what is the set up?

Mr. ARMSTRONG. I would say that we work under their direction. They have the funds and control of the funds, so I would say that they would be the ones to determine where the roads are to be built and when. Then, it is a matter of working out with them the details of the design, and then we award the contract and supervise the construction, as the agent for the Park Service.

Mr. SAYLOR. Is this arrangement between the Bureau of Public Roads and the Park Service and also the Department of Agriculture by contract between the agencies?

Mr. ARMSTRONG. We have working agreements with them that cover this arrangement, yes.

Mr. SAYLOR. Has anybody reduced it to writing?

Mr. ARMSTRONG. Yes, each project is on the basis of an agreement.

Mr. SAYLOR. Is there any master plan you have to go by, any master agreement this thing follows?

Mr. ARMSTRONG. Yes, we have a general one. We have a master agreement that covers the general overall aspects of the whole program.

Mr. SAYLOR. That is all, Mr. Chairman. Thank you. I want to talk to you after this meeting is over. Maybe I have gotten on to something I have been looking for a long time.

(Discussion off the record.)

Mr. O'BRIEN. I might say, perhaps, some members of the committee are curious as to why this committee has jurisdiction over this bill, when obviously, it contains matters which might go before the Public Works Committee, Military Affairs, Agriculture, and so forth. I think it was the view of the speaker, because of the scattered material in the bill, that this subcommittee, which had jurisdiction for so many years over the affairs of the then Territory of Alaska, should handle it, otherwise we would have chaos and certainly could not meet that July 1 deadline about which Mr. Rivers is so concerned.

Mr. Ullman?

Mr. ULLMAN. No questions.

Mr. O'BRIEN. Mrs. Simpson?

Mrs. SIMPSON. No questions.

Mr. O'BRIEN. Mr. Burdick?

Mr. BURDICK. I want to say I got a great deal of value out of the comments and observations made by the gentleman from Alaska. I appreciate it very much.

Mr. RIVERS. Thank you, Mr. Burdick.

Mr. O'BRIEN. Mr. Allen, apparently, you have satisfied all of us. In view of the fact it is now nearly noon, and Mr. Seidman is sort of standing by to testify further at any point in the hearings, if the committee so desires, I think we will adjourn until tomorrow morning at 9:45, when the witnesses will be the Honorable Hugh J. Wade, Secretary of State from Alaska, and General Ellwood R. Quesada, Administrator of the Federal Aviation Agency.

Mr. Rivers will submit a statement at that time.

I am very hopeful we can conclude the hearings tomorrow and that we can mark up the bill not later than the 21st of May or earlier, if we can get some more committee time, because we, too, are conscious of that July 1 deadline. The meeting is adjourned.

(Whereupon, at 11:50 a.m. the committee was recessed to reconvene at 9:45 a.m., Tuesday, May 5, 1959.)

ALASKA OMNIBUS BILL

TUESDAY, MAY 5, 1959

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON TERRITORIAL AND INSULAR AFFAIRS,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to adjournment, in the committee room, New House Office Building, Hon. Leo W. O'Brien, chairman of the subcommittee, presiding.

Mr. O'BRIEN. The Subcommittee on Territorial and Insular Affairs will be in order.

Before hearing further testimony, we have several communications here: One from the Chief Judge of the United States Court of Appeals of the Ninth Circuit, opposing provisions of subsections (a) and (b) of section 23 of H.R. 6091.

Apparently, the members of that particular court are somewhat concerned about the travel problems up to Alaska. The letter from the chief judge will be inserted in the record.

Without objection, it is so ordered.

We have a communication from Charles H. Callison, conservation director of the National Wildlife Federation, which endorses and recommends approval, by the committee, of H.R. 6091, particularly those sections dealing with extending to Alaska the Soil Bank Act, the Bald Eagle Protection Act, the Federal Aid in Wildlife Restoration Act, Federal Aid in Fish Restoration, and the Water Pollution Control Act.

Without objection, that will be made a part of the record.
(Documents referred to follow:)

U.S. COURT OF APPEALS, NINTH CIRCUIT,
San Francisco, Calif., April 28, 1959.

HON. WAYNE N. ASPINALL,
Member of Congress, Washington, D.C.

DEAR MR. ASPINALL: As chief judge of this court and presiding officer of the Judicial Council of the Ninth Circuit I am writing to you as chairman of the House Committee on Interior and Insular Affairs to make known our views on the provisions of subsections (a) and (b) of section 23 of H.R. 6091.

The members of this court who constitute its judicial council are very much opposed to those subdivisions, particularly subdivision (a), as it would impose a heavy and wholly unwarranted burden upon this already overburdened court.

Our reasons for opposing these provisions are explained in my letters to Mr. Warren Olney III, dated April 14 and April 22, 1959. Copies of this letter and copies of the letters to Mr. Olney are enclosed for the use of the other authors of the bill.

Sincerely,

WALTER L. POPE.

U.S. COURT OF APPEALS, NINTH CIRCUIT,
San Francisco, Calif., April 14, 1959.

Mr. WARREN OLNEY III,
*Director, Administrative Office of the U.S. Courts, Supreme Court Building,
Washington, D.C.*

DEAR MR. OLNEY: Judge Maris was very kind to send to me his letter of April 4, 1959, addressed to you and dealing with the provisions of section 23 of a bill, H.R. 6091, introduced by Congressman Aspinall. This is the bill dealing with certain matters relating to the State of Alaska, including the courts that are provided for, or referred to in the Alaska Statehood Act.

Notwithstanding Judge Maris seems to give his approval to subsections (a) and (b) of that section 23, I really think they will not stand analysis, and I venture to say that after our Judicial Council meets on April 20, you will be getting some formal communications with respect to these proposals.

If I may say so, I think the amendment to title 28, section 48 proposed in subdivision (a) of that section is about as silly as anything I have seen in a long time. Of course I realize the enthusiasm of the Representative of a brand new State, but the whole thing will not stand analysis.

As you know, this court, consistently with the legislation, sits in the larger centers of population within the circuit. We have suitable quarters for that purpose not only in San Francisco, but in Los Angeles, Seattle, and Portland. To add Anchorage as a place where this court is required to hold sessions is really something.

The 1958 population of Alaska is 215,000; the population of the next smallest State, Nevada, is 267,000, as of 1957, and it is rapidly growing. Nobody ever dreams of having this court hold sessions in Nevada. In addition we have Arizona with 1,136,000, and very rapidly growing, Montana with 666,000 (a State where the legal business in Federal courts is increasing), and in addition there is Idaho, with about the population of Montana.

To consider ordering us to go to Anchorage when we would not think of holding court in any of those other, more populous States, is the height of absurdity. Of course, heretofore, this court has had a fair number of cases from Alaska, because we have handled everything. We have acted as the Supreme Court of Alaska.

When the Federal court is set up there, there will be practically no business coming to this court from Alaska if the experience of the past 10 years is followed in the future.

I hope that you will make such notes as will lead you to indicate your doubt as to the validity of this proposed amendment, if and when the committees call upon you to appear before them with respect to this proposed legislation.

With respect to subsection (b) which would require the new District Court for the District of Alaska to sit at Ketchikan as well as the other places where court has been held in the past, I think that is most inadvisable. I know of nothing to prevent the district judge, if and when he is appointed, from holding court at Ketchikan if he finds that it would be in the interest of litigants, and the administration of justice, even if Ketchikan is not listed in the statute.

However, I know something about this kind of legislation from my experience in practicing law in Montana, where places where court is required to be held have proliferated beyond all reasonable bounds. As you know, most travel in Alaska is by plane; if a man is getting on a plane to go and attend to his legal business, taking his witnesses along, he can go to any other place as readily as he could go to Ketchikan.

It is not like farmers in a settled community in the State of Iowa wanting to have some place nearby to which they could drive their teams of horses.

In Montana it developed that this sort of legislation, calling for holding court at additional towns was a chamber of commerce scheme to get the Federal Government into a position where it had to build a new Federal court house. That is what happened at such a town as Glasgow, Mont., where they have a beautiful courtroom, and courthouse, but really no important business to transact there. Yet they interfere with the orderly conduct of the district court in that district by requiring useless trips to be taken to spots like that.

That is the sort of thing that Ketchikan promises to be, it seems to me. In fact, instead of adding a new town, they ought to cut out some of the ones that are already in the statute.

I will let you have the views of our Council shortly after our next meeting.

Thanking you, I am

Sincerely,

WALTER L. POPE.

U.S. COURT OF APPEALS, NINTH CIRCUIT,
San Francisco, Calif., April 22, 1959.

Mr. WARREN OLNEY III,
*Director, Administrative Office of the U.S. Courts, Supreme Court Building,
 Washington, D.C.*

DEAR MR. OLNEY: On April 14 I wrote you concerning the provisions of section 23 of the bill H.R. 6091, containing certain provisions relating to the holding of court at various places in the State of Alaska. In that letter I voiced my individual objections to subsections (a) and (b) of section 23, particularly subsection (a), which would require our court to hold sessions at Anchorage, Alaska.

On Monday, April 20, I read that letter which I wrote you to the members of our Judicial Council, and also had present, for consideration of the Council, a summary of an analysis of Alaska cases that have been heard in this court during a period from 1951 to the present.

The Council voted to approve the statements made and the position taken in my letter of April 14. You may therefore be advised that our Council is definitely opposed to the proposed legislation mentioned.

You will note from the summary which we had made by our law clerks, that during the period from 1951 to date there have been an average of about three and a half cases a year that would have come on appeal to this court had Alaska been a State. I think it is apparent that the amount of appellate business would hardly warrant this court making regular trips to Anchorage for the hearing of appeals.

If you are called upon to express some views to the congressional committee charged with the proposed legislation, I assume that you will inform them of the views of our Judicial Council.

Very sincerely,

WALTER L. POPE.

NATIONAL WILDLIFE FEDERATION,
Takoma Park, Washington, D.C., May 4, 1959.

Hon. WAYNE N. ASPINALL,
*Chairman, House Committee on Interior and Insular Affairs,
 Washington, D.C.*

DEAR MR. CHAIRMAN: The National Wildlife Federation wishes to endorse and recommend approval by the committee of H.R. 6091, particularly those sections dealing with and extending to Alaska the Soil Bank Act (sec. 5); the Bald Eagle Protection Act (sec. 14); the Federal Aid in Wildlife Restoration Act (sec. 15); Federal Aid in Fish Restoration (sec. 16); and the Water Pollution Control Act (sec. 28).

All American citizens have a stake in the protection and wise management of the vast natural resources of the 49th State.

Please make this letter a part of the hearing record on H.R. 6091. Thank you.

Sincerely yours,

CHARLES H. CALLISON,
Conservation Director.

(Discussion off the record.)

Mr. O'BRIEN. On yesterday we inserted in the record several communications from chairmen of committees which ordinarily might have jurisdiction over some matters contained in 6091. We received one today from Chairman William L. Dawson of the Committee on Government Operations.

Without objection, that letter will be included in the record at the proper place. (See page 14.)

The understanding was that Mr. Seidman, who testified first, and I might add, testified very brilliantly, would be here throughout the hearings with the understanding if any questions came up where he would have knowledge, he would answer them. So, we will proceed, at this time, with the next witness, the Honorable Hugh J. Wade, sec-

retary of state of Alaska, and until quite recently Acting Governor of Alaska.

Mr. ASPINALL. Mr. Chairman.

Mr. O'BRIEN. Mr. Aspinall.

Mr. ASPINALL. I spoke to Governor Wade just before the committee convened.

I wish to congratulate Acting Governor Wade for a wonderful job in the beginning of State responsibility for our new State of Alaska. It was my good fortune to meet Mr. Wade when I was in Alaska in 1951, when he was in an entirely different position. I congratulate him upon his elective office in Alaska and congratulate him on the way he took over in the case of emergency and the fine job he has done.

STATEMENT OF HON. HUGH J. WADE, SECRETARY OF STATE OF ALASKA

Mr. WADE. Thank you.

Mr. RIVERS. I would be remiss, Mr. Chairman, if I did not second the expression of our honorable chairman here. I know during the illness of our Governor, William Egan, Secretary of State Hugh Wade stepped into the breach and did a very capable and excellent job and I did not envy him the ardors of his experience. We welcome you to the committee, Mr. Wade.

Mr. WADE. Thank you, Mr. Rivers.

Mr. O'BRIEN. I am sure all members of the committee join in those sentiments. Do you have a prepared statement?

Mr. WADE. No. I do not. I have a statement on one section of the bill that I have prepared and I have given it to the reporter, but I would like to talk briefly about the bill as a whole and then on a specific section or two.

Mr. O'BRIEN. You may proceed.

Mr. WADE. I want to say that I am sure, if Governor Egan were here and testifying, he would give you a much clearer picture of conditions in Alaska, and what our feelings are regarding this bill. But as you know, he is recuperating from his recent illness, and I must say that I welcomed him warmly when he came back to the State. I do not think I was ever so glad to see anyone as I was to greet Bill, when he came off the plane. I did not regret being demoted in the least.

I want to say as far as the executive branch of the State government of Alaska is concerned, we have no quarrel with the objectives of the bill. We feel that when we asked for statehood, we would assume all of the responsibilities of statehood, and that we hoped, and I am sure we will not only assume the responsibilities, but we will share in the benefits. We are not asking for any better treatment than any other State.

We do feel that we have some conditions up there that are different and maybe for that reason, we would suggest some different treatment. But that is not uncommon with acts of Congress. You often recognize that conditions in a State, or group of States, are such that they cannot meet a particular criterion that is established for other States and you write it into the law. So, we are not asking for any better treatment, but we do want to point out something about different conditions.

I am not going to go through the bill and testify as to each section. I think I would like to have you assume that those sections I do not mention, we have no quarrel with at all. In fact, we endorse and approve them. There are only two or three particular subject matters that I want to testify on.

In connection with the health, education and welfare provisions for transition, we were happy to see the drafters of the bill recognize the per capita wealth figure that the Department of Commerce has been using, or mentioning, as our per capita wealth in Alaska is not a true figure, and we are happy that they recognize that fact, and we hope in this year's period of time when they are gathering statistics, that they will come up with a true figure. It is important. I think over the period of the last several years, maybe in some programs, we actually would have received more in grant moneys had we had a true per capita figure, rather than use even the special formula that Congress was so kind to write into many acts.

So we are hopeful that the per capita wealth will be established realistically, and we would not be hurt, and we will probably be a little bit better off under those social security provisions which are based upon the per capita wealth.

Now, I would like to talk a little bit about the airport program in the bill.

As you, perhaps know, the two largest cities in Alaska, Anchorage and Fairbanks, the chambers of commerce there were somewhat concerned about the State taking over the operation of the international airports and have been quite vocal about their concern. I think their concern was an honest concern, and I feel it has some merit.

They looked upon and considered that when the Federal Government constructed those two airports, Anchorage and Fairbanks, they did it primarily for two reasons: One, to aid the defense effort in the then Territory, that they recognized—and I think the appropriations to build the fields were justified by Defense Department and almost a hundred percent. They were also justified, and are being used now very effectively, for the increase in international civilian air travel. It is very gratifying to us that we have these international flights stopping in Alaska en route to the East or the West.

It was the position of the chambers of commerce up there that they felt, actually, these airports might eventually become a liability to the new State, rather than an asset, and that with the coming of the jet age, and the constant need for increasing runways and other facilities, that it might become quite costly for the new State to assume those after we use up the transitional money.

I think they have a point and I would like to see, I would like this committee to sort of consider, at least maybe inasmuch as the plan is to extend these two runways, to take the jet planes that are operating today—I believe the extensions planned are the minimum to meet today's planes and it could well be, while we are at the job, maybe we ought to add another couple of thousand feet on each runway. If so, we would certainly not object, if you would increase the transitional grant another \$2 million or so in order to do the job right. I do think it has merit and I would like to have you consider it.

However, I want to say that we can live with the provision that is in the law as far as the airports are concerned. Fortunately, we have some accumulated surpluses and that with the transitional money, we

can see a very great program in the next 4 years. But, I did feel that I should point out, and sincerely request that you consider the feelings of the chambers of commerce in those two cities, which we share, because it is a realistic view of it.

Now I want to read a statement that I have prepared here, and it is a rough one, on section 21, the highways, which is, of course, the most important section of the bill.

Mr. Chairman, I would like at this time to invite the attention of the committee to the provisions of section 21 of the bill being considered. This is the section dealing with the application of the Federal-aid highway program to Alaska. No provision of this bill is of more importance to Alaska, from either a fiscal or developmental viewpoint. I know that it is not necessary to elaborate to this committee the importance of the long-range road program to our new State. Individually, and as a committee, you are familiar with the subcontinental area of Alaska, and also with its comparatively roadless condition. For the sake of comparison, I would note that the total present mileage of roads in Alaska, now approaching 4,000, is approximately equal to the road mileage of Delaware, our second smallest State. Alaska is, therefore, virtually roadless except in and near the major centers, with only an embryonic interconnected system. No area in the Nation has greater road needs or is more concerned with the problem of meeting them.

It is most important to keep these facts in mind in assessing the provisions of section 21 of the bill before you. The approach taken may be stated quite simply. It is to apply the provisions of the present Federal-aid highway legislation, with two exceptions which I will refer to later, without modification for, or consideration of, Alaska's unique needs. This is based on the generally sound theory that Alaska as a State should be treated as a State in every respect. We do not take exception to this attitude and approach. However, I would like to suggest, in regard to the highway program, that public policy is as well served if we examine the general formula before attempting to apply it. Little is gained by endeavoring to pound square pegs into round holes. The basic road formula has been modified and changed to meet changing requirements throughout the Nation since the enactment in 1921 of legislation on which our present program of Federal aid for highways was built. I would, therefore, like to review, briefly, some highlights of the national program.

When the 1921 act was passed the road problem in the Nation was not the construction of new road routes. The United States had then almost as many miles of roads of all classes, mostly poor, as it has today. You are all familiar with the vast rural road mileage embracing such roads as the typical, and sometimes theoretical, roads on the section lines in the part of the country under the rectangular survey system. The big jobs to be done then were, first, to provide for the selection of designated "through" routes and, second, to provide Federal assistance for improvement of the primary routes so selected for improvement of a system of secondary roads.

Thus, the basis of the Federal aid program is, and always has been, a road improvement program—one that has proved of tremendous service in upgrading roads to meet increasingly greater needs throughout the country. Later the problem of urban areas was met by

special assistance for urban highways as the cities became the bottle-necks in the system. When railroad grade-crossings became a major hazard, provisions were added to provide 100 percent Federal assistance for construction of grade separations. Most recently, and of the largest magnitude of all, the National System of Interstate Highways was authorized, comprising a designated 41,000 mile system of limited access, superhighways the construction of which is financed to the extent of 90 percent by Federal funds derived from special levies on highway users.

I mention the Interstate System to note that it constitutes one of the continuing exceptions to which I adverted in stating that section 21 would not place Alaska on an identical footing with the other States. In so doing, I am not suggesting that 1,000, or 4,000, or 8,000 miles of such limited access multiple-lane roads be added to the Interstate System in Alaska, as the area of the State might suggest. We have a very limited need for roads of the standards embraced in that system. To build such roads in Alaska today would be a prime example of fitting square pegs into round holes. However, I do wish to emphasize that we in Alaska pay and have been paying the Federal levies which are earmarked for the Interstate System in the highway trust fund. I believe that this fact, in and of itself, justifies more careful attention to the modification of the basic aid program, the so-called A.B.C. system, to meet Alaska's peculiar and unique problems.

The Federal aid program was extended to Alaska only 3 years ago, although it had long been in effect in Hawaii, Puerto Rico, and the District of Columbia. For over 50 years road construction in Alaska had been handled as a direct Federal operation, first under the War Department, and after 1932 by the Department of the Interior.

The Alaska Road Commission, as the agency was known until its transfer to the Bureau of Public Roads in 1956, was an efficient and highly regarded operating agency, but one that was notably under-financed.

The present limited road system in Alaska is a result. I would note, too, that although it was a Federal activity, until World War II, less than half of the funds expended were from general Federal appropriations, and the remainder came from Territorial and local sources. It might be said that the pattern, while not a formal grant-in-aid program on a 50-50 basis, amounted to the same thing. In the early 1920's Alaska made legislative provision for a Territorial road agency with the intention of participating in the new national Federal aid program. A Territorial road agency was established to handle the program. However, the program was not extended until 1956, and the Territorial road board served only as a channel for territorially appropriated funds to the Federal road agency. Over the years, Alaska's delegates sought to have the Federal aid program extended to Alaska on an equitable basis. Lack of Federal support for a continuing long-range road construction program was one of the important factors in causing Alaskans to press for statehood. The people of Alaska felt that with statehood it would be difficult to deny full Federal assistance for roads on a reasonable and extended basis. We expected and continue to expect that this will be true.

The Federal Aid Highway Act was extended to Alaska in 1956. We have had less than 3 years' experience under the program. In

extending this act to Alaska, Congress made a careful attempt to meet the needs of the Territory. We in Alaska did not like all aspects of the modifications then made, but we recognized an honest effort to provide a sound basis for a continuing road program—a program which would make possible for almost the first time a reasonable projection of road construction requirements. The 1956 modifications are the provisions which the bill before you would eliminate. In brief, the Federal-aid highway legislation now in effect makes the following special provisions for Alaska:

1. In making basic allocations of Federal-aid funds to the States for primary and secondary roads, only one-third of the area of Alaska is used in the computations (note here that for these two systems, sometimes called "A" and "B," a third of the overall allocations to the States is based on area). Thus Alaska is reduced very drastically in its sharing under the program.

2. The administration of the program in Alaska was retained as a Federal activity—a direct operation by the Bureau of Public Roads to which the operations and facilities of the Alaska Road Commission were transferred. We did not care for this feature as we believed that the Territory should have taken over in preparation for statehood.

3. Authority was provided to use so much of the Federal aid allocations as necessary for maintenance of existing roads. Having retained the operations it was presumably not believed appropriate to assess the Territory for these important continuing costs.

4. Alaska was required to contribute only 10 percent of the funds apportioned to it. This in lieu of what otherwise would have been approximately 13 percent under the general public land provisions of the act, so we save 3 percent there.

5. The limitation of 7 percent on the portion of the highway mileage of any State that could be incorporated in the basic primary road system was lifted for Alaska as it is for Hawaii, Puerto Rico, and the District of Columbia. This is the other situation in which the bill before you does not treat Alaska exactly as the other States. The exception is continued, and for good reason. We would have no Federal aid highway program at all in Alaska if this exception were not made. Seven percent of Alaska's 1921 road mileage would be somewhere in the neighborhood of 100 miles.

What is wrong with the program as it now applies to Alaska? First, it is essential that we take over and operate the road organization. Section 21(a) of the bill before you would accomplish this. The Secretary of Commerce is directed to transfer without compensation all facilities, land, equipment, supplies and records now held by the Bureau of Public Roads which are not needed for the continuing activities of that Bureau. It is noted, however, that no transfer date is fixed in this section of the bill and, as I read it in connection with section 41, it would be possible to postpone transfer of administrative control until July 1, 1964. The State will not consent to the possibility of any such delay in assuming our rightful functions under the road program.

As to the 10 percent matching requirement, the concession is at present more apparent than real—under the general provisions relating to public lands we would at present be matching about 13 percent on construction projects.

What is wrong with the provisions of the bill before you? First and foremost, its assumption that the Federal-aid act, unmodified, will meet Alaska's needs. Second, its uncertainty as to transfer of functions, property, and equipment to the State. Third, its suggestion that partial assistance on maintenance for a 3-year period is all that is needed, and that, coming as a "transitional grant," it is somehow more in keeping with the dignity of a sovereign State.

What is needed? A reasonable adaptation of the basic formula. Let me emphasize here that such adaptation should not be grounded in the concept that Alaska be granted more favorable treatment or unwarranted concessions. To the extent that exceptional conditions are laid down, it should be to meet exceptional needs, on a forthright basis of quid pro quo.

As we view it a reasonable resolution of the problem would follow the existing approach. We now receive something less than \$14 million in Federal-aid allocations (using one-third the area). Our entitlement under the provisions of section 21 of the bill before you would approximate \$37 million in Federal-aid allocations, with the State being required to carry in full and expenditure of almost \$5 million for maintenance in addition to the 13 percent matching on construction.

We believe that a more realistic solution would be for the present act to be modified to provide for the use of two-thirds of the area in the allocation formula. This would approximate \$27.5 million at the present rate. We would be reducing the drain on the general fund by approximately \$9.5 million annually. In return, we would like to retain the present provision of law permitting the use of the Federal-aid apportionment for maintenance as well as for construction. We would be pleased to accept a 20 to 25 percent limitation on the use of such allocations for maintenance.

Further, we would recommend the extension of the present flat 10 percent contribution on construction projects. We feel fully justified in asking this in lieu of any present participation in the National Interstate System which is based on a 90 percent-10 percent formula. The concession here is quite minimal, but we desire this at the present time because of the uncertainties in determining the State's exact percentage of participation during the next years when selection of State lands will have an important effect on the proportion the State matches. Good administration requires more certain advance knowledge of the State's obligation and important annual changes will hamper the road program.

I have outlined the exceptions which I believe are justified and fully defensible. It is possible that the issues that this approach raises are so involved in basic Federal aid road policy that you would prefer to separate them from consideration with the other provisions of the bill before you. If so, I recommend that this committee delete all of section 21, except subsection (a) and other necessary provisions for the transfer of the activities and functions of the Bureau of Public Roads to the State of Alaska.

I will wind up my statement with very little else on the subject.

If our suggestion is not followed, and we do have to live—which we can do—with what is in the bill, there are a few things that we feel should be further considered. One is that I have noticed, per-

sonally, driving along the highways that the capital improvements made by the Bureau of Public Roads in there, various camps along the roads have had little improvements the last few years. I feel this was not taken into consideration when the transitional grant was arrived at. I would urge that, if you insist on having this road program in the omnibus bill, you consider that phase of it and give us a little more in transitional grants to improve these road camps.

I would say a half a million dollars, because I am quite sure the Bureau of Public Roads is not going to embark on any major improvements during the transitional period and we will be faced with quite an undue burden at the end of the transitional period to make some capital investments along the roads.

One other thing about this bill which I personally feel very strongly on, and that is the objective of putting this bill into effect the first of July of this year. As you gentlemen know, we have been a State less than 6 months, and we have been pretty busy up there trying to get a State organization on paper, and that is all we have. We have it on paper, we do not have it in existence. The fact of the matter is, we have not even enacted that part of the Reorganization Act as yet, because we just have not had the staff recruited. And to have us get into this road program, as of July 1, which is less than 60 days away, is not realistic, I do not think. And it is going to result, I am afraid, in our having to have, during the transitional period, a federally operated system, because we just do not have the staff and do not have the time to recruit the staff to get our own organization.

So, we would still be having a federally operated and maintained highway system. So, I feel if this portion of section 21 remains in the law, it could well be delayed until the beginning of the next fiscal year. It would give us more time, and we would be in a better position to meet the problem.

I do urge you very sincerely to recognize that this is quite a step for Alaska. It is a serious thing, if we are making a decision in a bill of this kind to embark on a road program that I do not think has had the proper study, or thought it should have, and it certainly is not the type of program that we would embark upon, if we were not required to do so under this law.

I think that is all, Mr. Chairman.

Mr. O'BRIEN. Does that conclude your statement?

Mr. WADE. Yes.

Mr. O'BRIEN. Thank you very much. I do not intend to ask any questions at this point, except to, perhaps, make an observation in reference to your suggestion that we take section 21 out and put it in a separate bill. That may be desirable. We do have a rather practical situation here, and I think if we attempt to do it in two bites at this session, one of the bites, possibly, might not be digested by Congress. I am not sure. I think, if we are to make any changes, as recommended by you, it would be desirable to leave section 21 in here and make the changes therein.

Mr. WADE. Either approach is entirely satisfactory to us. However, I would say it is not imperative. We can live with our present system for another year, if Congress would need that much longer time to consider what would be a sound road program for Alaska and

approach it through the amendment of the present Federal-Aid Highway Act.

Mr. O'BRIEN. Mr. Wade, if we enact this omnibus bill, perhaps, with some modifications you referred to, do you, from your experience and observations, and obviously greater knowledge of Alaska, believe at the end of that 5-year period Alaska will be able to go it alone and operate without question?

Mr. WADE. Congressman, in all respects, with the exception of highways. That is exactly the point. I do not say we would not be able to carry the load, but I do not think from a public official standpoint, it is a wise policy to proceed on the theory that the oil and gas coming into Alaska is going to be the answer to all of our problems. I do not know how many times we spent it, Congressman, on educational programs and other programs. Unless the oil and gas development materializes, and probably surpasses our dreams of something pretty good, we would not be able to meet the highway problem.

Mr. O'BRIEN. There is another point there. The oil and gas, we all know is there, simply does not leap from its sources into the market: it has to be carried, and usually over highways.

Mr. WADE. That is right.

Mr. O'BRIEN. Mr. Aspinall?

Mr. ASPINALL. I think I will reserve my right to question.

Mr. O'BRIEN. Mr. Saylor?

Mr. SAYLOR. Mr. Wade, let me see if I understand correctly the situation that exists, at the present time, with regard to your highway system.

The present formula uses one-third of the area of Alaska.

Mr. WADE. Right.

Mr. SAYLOR. As a result of that formula, you get from the Federal Government \$14 million?

Mr. WADE. Right, sir.

Mr. SAYLOR. The contribution of the Territory, and now the State of Alaska, is 13 percent instead of 10.

Mr. WADE. Under existing law?

Mr. SAYLOR. Under existing formula.

Mr. WADE. No, sir; 10 percent under the existing formula now in the Highway Act.

Mr. SAYLOR. If section 21 goes into effect, it is your interpretation that the entire area of Alaska will be used? The section in the bill now uses 100 percent of the area of Alaska.

Mr. WADE. Yes.

Mr. SAYLOR. And as a result of this, you will get \$38 million.

Mr. WADE. \$37 million to \$38 million; yes.

Mr. SAYLOR. Then your contribution will have to be 13 percent of that?

Mr. WADE. Yes.

Mr. SAYLOR. The thing that bothers me and the reason I ask these questions, 3 times 14 is not 37.

Mr. WADE. I beg your pardon.

Mr. SAYLOR. Three times 14 is not 37. I come up with 42.

Mr. WADE. There are other factors. Thirty-seven million dollars is what I believe is the figure that the Bureau of Public Roads has told us would be our allocation under this formula. Whether that is an

accurate figure or not, I do not know, but that is where we got the figure.

Mr. SAYLOR. You are suggesting then, that instead of the present formula, or the one suggested in the bill, that a point midway between the two be taken and that two-thirds of the area be used, and that your 10 percent contribution remain the same.

Mr. WADE. Yes, sir.

Mr. SAYLOR. And then the Federal contribution, of course, would be as you say, around \$28 million.

Mr. WADE. Yes. In addition we would ask that we be permitted to use, not to exceed 25 percent of the Federal aid money for our big problem of maintenance, which we do now. We use an unlimited amount, but the figure, we have run about 25 percent, I believe, Congressman, for maintenance under the present law and 5 percent went into new construction. Do not hold me to that.

Mr. ASPINALL. Will the gentleman yield to me?

Mr. SAYLOR. Yes.

Mr. ASPINALL. If we should determine to put a proviso in the bill, and we would follow your suggestion for 5 years, would the State of Alaska then be in a position at the end of 5 years to come up and accept its full responsibility?

Mr. WADE. No; I do not think we would, Congressman. I do not think at the end of 5 years our population and use of our highways would increase enough to increase the potential tax revenue to meet the maintenance problem.

Mr. ASPINALL. Would you be in a position, at that time, to take care of your own contribution of \$4,940,000?

Mr. WADE. Yes, we think we would.

Mr. ASPINALL. In other words, you could take care of the contribution all right, but you would like to have a change as far as the maintenance.

Mr. WADE. We actually would not ask, at the end of 5 years, to change the formula back. We would be willing to stand on the two-thirds of the land formula and continue on, on the basis that our situation is somewhat different, and that we would willingly then give up that Federal money, that we would otherwise, perhaps, be able to match and secure.

Mr. ASPINALL. Of course, your situation in Alaska may be extreme, as far as the condition of your secondary roads are concerned, but you are not alone in that situation. I have traveled through some of the Eastern States and I find what has developed during the last 5 to 10 years is the fact that the States are being compelled to put their money on their primary roads, at the present time, and their secondary roads are in horrible condition. So, this is not a problem entirely significant for Alaska.

Mr. WADE. I am sure it is not, Congressman, but we do feel with this struggling infant, we have up there, that we have a situation so different in our needs that we would like you to recognize it. As I point out, we are not asking for as much Federal money, so you cannot say we are doing it from a standpoint of asking for money, but we do feel we are having a terrific problem in the maintenance thing until we can build up the use of those highways. If we ever pave the Alcan Highway, we are going to have some increased traffic.

But very few highways, in fact I am told by the Bureau, that there are only two stretches of highway that come close to paying now their present maintenance costs, when you compute the take on the gas tax from the use of it.

Mr. SAYLOR. Mr. Wade, the reason I ask these questions, there is an old saying, "Never look a gift horse in the mouth." And you are coming down here and saying that you are perfectly willing to give us back \$9 million. It is such an unusual situation, I want to see what is behind those molars back there, because I am afraid they might come out and chew us a little later on.

Mr. WADE. Congressman, we are realistic though, because we do not want to get into a program of new construction of highways up there, which we will get into up there because the money is there, and you know you cannot stop legislatures. So, you are going to build more roads, which pyramids our maintenance problem. Right now, our maintenance problem is about \$5 million a year.

Supposing you extend our highways to where there is—increase it a third, we will say with this more or less cash program, which it would be. Then, instead of digging up \$5 million, we would be having to dig up maybe \$7½ million. It just is not in the cards. I can understand your suspicion, but I am being realistic about it. You know, 4 years go by pretty rapidly. I suppose it would be easy for us to accept this program now and say everything is going to be fine, and it is going to be fine for the next 4 years, but after that it is going to be real bad, and I think we ought to be realistic.

Mr. ASPINALL. I think it resolves into something like this: You do not want any more new children in the family, until you get the others taken care of.

Mr. WADE. I would not go on record as agreeing to that, and advocating birth control. [Laughter.]

Mr. SAYLOR. I might say after that comment, it is probably a good thing our good colleague from Florida is not here, because he was one that protested, very bitterly, the arrival of the new State. Thank you very much. I just wanted to make sure I had the picture in my own mind of what is involved.

Mr. WADE. Thank you.

Mr. O'BRIEN. Mr. Wade, I think there are some more questions.

Mr. WADE. Pardon me.

Mr. O'BRIEN. I am inclined to think what you suggest makes good sense, that you would prefer to have 5,000 miles of road that you could keep in good shape, than 10,000 miles that would go to pot.

The gentleman from Alaska.

Mr. RIVERS. Mr. Wade, I have said right along, I figure we would be in trouble at the end of 5 years under this omnibus road program. We would be doing fine during that 5-year period and with the matching and use of the omnibus transition fund, we could put on quite a road building program in the next 5 years.

I will check my thinking with you. I do not think our State lands are going to be productive of much revenue to the State treasury for at least 10 years, and I do not think the production of oil and gas is going to be an appreciable amount until about 10 years.

I said right along that I thought we would be in trouble 5 years from now and that is what you are trying to point out, is that right?

Mr. WADE. Yes, Congressman, we would be in real trouble there. There is no use of kidding ourselves or you about it. We would be in real trouble.

Mr. RIVERS. In regard to the need of new roads, if we stay where we are, do we not forgo the transitional grants they have provided for under this transition idea?

Mr. WADE. Yes. I believe the figure is some \$12 million over the transition period. We would just forgo that. We would have to. We could not very consistently ask for that money when we asked for an exception in the law.

Mr. RIVERS. But a doubling of the one-third of our area now used in computing our participation under the Federal-Aid Highway Act would bring us up to what amount?

Mr. WADE. We would have about \$27½ million annual program and out of that 25 percent of it would be maintenance and the balance would be new road construction.

Mr. RIVERS. And if the maintenance amount remains between \$4½ million and \$7 million in the next 5 to 6 years, we would have about \$20 million a year for new construction?

Mr. WADE. Yes, about that.

Mr. RIVERS. That is about what it would amount to, is it not?

Mr. WADE. Yes.

Mr. RIVERS. Do you think that is about as fast as the infant can crawl?

Mr. WADE. I think so, with real, sound road building program. After all, you can always tool up for a big crash program, but it is not always the most sensible way to spend public funds. I think we can have a State road department that is tooled up and staffed to carry along about \$18 million to \$20 million new construction program each year.

Mr. RIVERS. Perhaps, we would not get the full value out of the crash operation, because that type of operation is costly.

Mr. WADE. And oftentimes, after you have the road built, you wonder why you built it in that particular spot.

Mr. RIVERS. One thing that concerns me, Mr. Wade, is that our visions of adding appreciably to our present road system during the next 5 years dwindle if we take the safer course you are proposing. I do agree with you that I thought we were going to be in trouble after 5 years under this setup. That is all.

Mr. ULLMAN. I want to join in welcoming Mr. Wade to the committee. I am curious to what extent you in Alaska were familiar with this bill and were consulted about it before it was brought up here.

Mr. WADE. We were briefed pretty well on it. The only difficulty, Congressman, was that we did not have the staff at the State level to do much about it. Under the old territorial system of government up there, the Governor of the Territory did not feel it was his responsibility to call in the then existing Territorial agency and say here we are faced with the problem the Federal Government is now drawing an omnibus bill for this transitional period, you get busy on it and come up with something. So, I am sure Mr. Seidman will agree we were not very well prepared when he came up to talk about the bill. Frankly, from the Governor's office and from the highway de-

partment viewpoint, we just have not had the time to go into it very much so far, since we have been a State with our own staff. Does that answer your question?

Mr. ULLMAN. Yes. Generally, you are in agreement, however, with the legislation?

Mr. WADE. Yes, with the exception of this particular section where it hurts real bad.

Mr. ULLMAN. You mentioned the fact within 5 years, you would be ready to take over everything except highways. You had previously made a reference to these two major airports. What is your feeling on them?

Mr. WADE. I am sure we can take them over and assume the cost of maintaining them, but as I say, I think as long as we are going to go ahead and extend these runways now—I think the plan is for a 4,000 foot extension at each airport—it may be we might as well go ahead and do the job up and get ready for the next plane Boeing or somebody else puts in the air, that will need additional runway.

Mr. ULLMAN. You feel you can handle that problem?

Mr. WADE. I am sure we can.

Mr. ULLMAN. You mentioned an item of a half million dollars for camp sites.

Mr. WADE. Roadside or divisional points on the highway. They have their divisional points for the maintenance crews.

Mr. ULLMAN. Highway divisional points you are talking about, for maintaining the highways?

Mr. WADE. Yes. The last few years they have not done very much in the way of capital improvement of those camps.

Mr. ULLMAN. You feel it would take that amount to bring you up to date on the present needs? Mr. Wade, we feel they are not going to do much the next 3 years either, so it would be over the transitional period you are talking about?

Mr. WADE. Yes.

Mr. ULLMAN. I am curious about the highways in Alaska. Do you have many major areas not connected by highways at the present time?

Mr. WADE. Yes.

Mr. ULLMAN. What is your feeling in the future about this problem? Will it be feasible to connect these major points by highways?

Mr. WADE. We think the more feasible approach is for the ferry system for the southeastern Alaska town because road construction and maintenance in that area is terrifically costly.

Mr. ULLMAN. In other words, you cannot anticipate any time in the future where highways might be built there?

Mr. WADE. Not in the immediate future, no. We do have two or three to connect us with the Alcan Highway, but not to connect the town within Alaska.

Mr. ULLMAN. What are your cities that are isolated?

Mr. WADE. For example, you cannot go any place from Juneau, the capital of our State, except take a ferry, go to Haines and then get on the highway and go into the interior. It is about an 8-hour ferry run. Ketchikan is isolated, Rangoon is isolated, Petersburg is isolated, Sitka is isolated, all of the towns and cities in southeastern Alaska.

Mr. ULLMAN. You are just going to have to wait for population growth up there before you get into construction.

Mr. WADE. We are all very optimistic about the tourist business, and stimulated by a good ferry system which we would hope to be able to swing in the next few years.

Mr. ULLMAN. Do you anticipate that will be a State system or would you be able to entice private capital to put it in?

Mr. WADE. Probably, a little of both. We might have to do a little subsidizing at the beginning or build some of the ferry landings for them.

Mr. ULLMAN. Are you finding not only in this field, but in other fields that there is an interest on the part of American capital here moving up into Alaska, renewed interest, stimulated interest, as a result of statehood?

Mr. WADE. Congressman, I do not think anybody, even the most ardent statehood fan, dreamed that as many of the financing, and big financing institutions, would have the interest in Alaska that they have indicated in the last 6 months. Hardly a week goes by, but what the Governor's office is not alerted to some group of finance people from either the east coast or the west coast who are en route to take a look at Alaska as a potential for their investments.

Mr. ULLMAN. That is good news. Please convey my regards to Governor Egan when you get back.

Mr. WADE. Thank you.

Mr. O'BRIEN. One other thought occurred to me. In fact, it is in support of your idea in the highway thing. Would this not also give you an opportunity to await a possible broad recommendation by the International Highway and Rail Commission that has been functioning?

Mr. WADE. It would, Congressman, and we were, of course, very happy the other day to have a news item in our local paper that Congress has appropriated a very adequate appropriation for them to extend their work.

Mr. O'BRIEN. That was just the Senate.

Mr. WADE. Oh, I am sorry.

Mr. O'BRIEN. But, you think the work of that Commission for the long-range benefits of Alaska is very important?

Mr. WADE. I do, Congressman, personally, yes.

Mr. O'BRIEN. One other question. You mentioned something about tourists. Has there been quite a spurt in the tourist business since you achieved statehood?

Mr. WADE. If you want to come to Alaska this summer, you had better get reservations in there, because you cannot get in on plane or boat.

Mr. O'BRIEN. I am going next week and have my reservation.

Mr. WADE. It is a little early yet, but the middle of next month it would be almost impossible.

Mr. O'BRIEN. Mr. Witmer?

Mr. WITMER. I think I heard you correctly, when you spoke of the difficulty of tooling up to take over the work on 60 days notice.

Mr. WADE. Yes.

Mr. WITMER. Would section 40(b) and 40(c) help you at all?

Mr. WADE. I am sure they would. Those are the sections that transfer the equipment?

Mr. WITMER. Those are the sections which provide that if you are not ready, the Governor may submit to the President the request that the Federal agency continue to operate.

Mr. WADE. Yes.

Mr. WITMER. The question I have is this: Does the Governor have authority under Alaska law to make such a request to the President, granted that the President may honor it once it is made. Or will this require Alaskan legislation?

Mr. WADE. I have to be honest with you. We foresaw the possibility of us having to go this route and we enacted legislation.

Mr. WITMER. You are clear on that? That is my only question. Thank you.

Mr. WADE. I probably should have said, no.

Mr. O'BRIEN. Are there any further questions?

Thank you very much, Mr. Wade.

Mr. WADE. Thank you, it has been a pleasure.

Mr. O'BRIEN. The next witness is General Elwood R. Quesada, Administrator of the Federal Aviation Agency. General, it is a pleasure to have you with us this morning. You noticed we were skirting around some of your problems in the earlier testimony.

**STATEMENT OF E. R. QUESADA, ADMINISTRATOR, ACCOMPANIED
BY JOSEPH H. TIPPETS, ACTING DIRECTOR, BUREAU OF FACILI-
TIES; AND ALAN L. DEAN, ASSISTANT ADMINISTRATOR FOR
MANAGEMENT SERVICES, FEDERAL AVIATION AGENCY**

Mr. QUESADA. For the record, I am Mr. Quesada, and not General any more.

Mr. ASPINALL. Mr. Chairman, I think it is appropriate we do take cognizance of the fact that Mr. Quesada was a very capable and very effective general.

Mr. QUESADA. Thank you very much.

Mr. O'BRIEN. As far as I am concerned, he still is.

Mr. SAYLOR. I say amen to that.

Mr. O'BRIEN. You may proceed.

Mr. QUESADA. I have prepared a statement and with your permission, I will read it.

Mr. O'BRIEN. Certainly.

Mr. QUESADA. I am E. R. Quesada, Administrator of the Federal Aviation Agency.

I welcome this opportunity to present to this committee our views in support of H.R. 6091, the pending bill referred to as the Alaska Omnibus Bill. I will limit my comments to matters concerned with airports and aviation. Section 35 of the bill is the area of particular interest to us. Under authority of a 1948 act of Congress (48 U.S.C. 485) terminal airports have been constructed and operated at Anchorage and Fairbanks, Alaska, at a capital cost of some \$17 million to the Government.

The subject airport facilities at Anchorage consist of two runways, a terminal building and a hangar. This airport is handling approximately 200,000 passengers annually and serves about 125,000 aircraft

arrivals and departures of which about 30,000 are air carriers, 60,000 are military and 35,000 are general purpose aircraft. These Anchorage facilities, with an allowance for depreciation, have a current capital value estimated at \$11,600,000.

The airport at Fairbanks has only one runway and a terminal building with associated utilities constructed by the Federal Government. At this location there are some 90,000 passengers served annually and approximately 55,000 aircraft arrivals and departures of which about 13,000 aircraft movements are air carrier aircraft, 7,500 military aircraft and 34,500 are general aviation type of aircraft. Allowing for depreciation the Fairbanks facility has a current capital value of about \$5.2 million.

These two airports are now collecting revenues of approximately \$1.1 million annually which are deposited in general funds of the Treasury of the United States as miscellaneous receipts. These revenues compared with the 1959 fiscal year annual cost of operation of almost \$900,000, reveals a net balance of \$200,000 in income over expense.

The original justification for the Federal Government constructing and operating these terminal airports as indicated in the enabling legislation was twofold: (a) To serve air commerce of the United States in the Territory of Alaska, and (b) to serve as intermediate stops for international flights. A further consideration was a requirement to move civil operations off military airbases in the interest of security and the additional safety provided through separating the civil operations from the specialized military activities. In light of these requirements and the Territorial status of Alaska in 1948, there was no possibility of obtaining the airfields by means other than by having the Federal Government assume responsibility for their construction and operation. Since they have been in operation there has been a number of changes in circumstances. These changes include a very substantial growth in the volume of activity and a significant increase in revenue to the point where currently the revenue from these airports exceeds the total operating cost.

For some time consideration has been given to the advisability of relieving the Federal Government of the responsibility for operating and improving these terminal airports, inasmuch as the Government does not provide similar services for other cities, except the Nation's Capital. The advent of statehood for Alaska eliminates any justification for continuation of this function by the Federal Government.

In estimating the amount for the transitional grant in 1960, \$4.5 million was included for capital improvements at Anchorage and Fairbanks with the exception that some or all of this fund would be used for matching purposes under the Federal-aid airport program.

For approximately \$4.5 million the Anchorage airport could be expanded to serve the jet-powered aircraft that the major air carriers are acquiring and the construction work could be phased on a time sequence with the schedule for jet service to Anchorage. Landing area improvements at Fairbanks to meet jet aircraft requirements would cost approximately \$3.8 million. The two fields also have need for such things as lighting, sidewalks, roads, water, and sewer improvements, and crash and rescue facilities that would aggregate \$1.5 million. Our estimate for construction excludes terminal building

expansion as the financing of this particular construction does not require the appropriation of Federal funds. Thus, the two airports could be developed to meet jet aircraft requirements other than terminal building facilities at a total cost of some \$9,800,000. An amount in excess of the needed \$9.8 million could be derived by matching transitional grant funds with Federal-aid airport funds.

It is our view that the Federal Government therefore would be providing generously, in fact an amount of not less than \$27.9 million, for the airport needs of these areas by a number of actions, namely: (1) Transferring at no cost, airport facilities valued at about \$17 million; (2) allocating to the State for use at their discretion in 1960 up to \$10.5 million as a transitional grant, of which about \$4.5 is based on airport capital improvements; (3) providing under the recommended extension of the Federal grant-in-aid program for airports, as prepared by the administration, the amount of \$6.4 million. These funds for airport grants would be specifically allocated for projects in the State of Alaska on a basis which would finance up to 62½ percent of the total cost of airport projects. The Federal-aid airport grants could be further augmented if the projects proposed by the State have sufficiently high priority in terms of the national needs to warrant the Administrator of FAA's use of the discretionary funds provided by the Federal-aid airport bill.

The alternate to enactment of the omnibus bill is obviously continued operation by the FAA. Our 1960 fiscal year budget request for funds pending before Congress makes no provision for operating or improving these airports. Continued operation would thus require supplementary appropriation action.

Continued operation of the airports during 1960 is assured by passage of the bill under either of several means. First, the State could accept title to the airports and assume operations itself. This would place at the State's disposal both the omnibus grant money and all airport revenues they collect. Secondly, the State could accept title to the airports and contract with the FAA to continue operations pending the provisioning of such services by the State. During this interim period the revenues would accrue to the State and could be utilized to reimburse the FAA. These revenues should meet all operating expenses. The omnibus grant fund would be available to the State to launch the improvements program.

Finally, if the State does not accept title immediately, the airports could, on request by the Governor of Alaska, be operated by FAA with funds from the \$10.5 million transitional grant. This arrangement would require deposit of all revenues in the U.S. Treasury. The net effect of this loss of revenue would be a reduction of the improvement funds by approximately \$100,000 monthly. Further, there would be no possibility of utilizing transitional grant funds to match Federal-aid airport grants. Thus improvements necessary for jet operations could not be completed.

These several considerations lead us to believe that the interests of the State and all elements of aviation will be better served when these airports are under the ownership jurisdiction of the State of Alaska. This does not mean that the State, in a short time interval, will have to provide continued efficient management and operation of the facilities. We are interested in preventing any deterioration in

service and, as stated before, stand ready to perform necessary services for the State on a reimbursable basis.

In recommending and working toward this concept so that the State's acceptance of responsibilities is equivalent to that of other States, I submit that the proposed plan is tangible evidence of our concept that Alaska possesses both the desire and capacity of assuming the responsibilities of statehood and the management of its own affairs, including the ownership of these airports.

Mr. O'BRIEN. Thank you for a very fine statement. I think that several of us have been impressed by the amount of traffic through the airport. I think, perhaps, Members of Congress might be generally. Mr. Saylor worked out that there is one airplane arriving or departing every 4 or 5 minutes around the clock, or close to it.

Mr. QUESADA. The amount of traffic into Alaska is surprising. It was just as surprising to me as it appears to have been to you. I think it is going to be greater, if I may say so, Mr. Chairman.

Mr. O'BRIEN. That would be the increased tourist business, the economic growth of Alaska and the international business involved.

Mr. QUESADA. I think both. I think the international business might bring about some substantial changes. And the ease of getting to Alaska itself by the injection of the jet transport, I feel reasonably sure, is going to open up a tourist trade and business activity heretofore retarded by poor transportation.

Mr. O'BRIEN. I was impressed, too, by the fact that approximately one out of every three planes landing or taking off from these two airports are military planes. So, the problem in Alaska does become, to a very substantial degree, a military problem and I assume that is one of the reasons for your concern about this transition and the need for it to be orderly.

Mr. QUESADA. We would like to contribute in any way we can to the orderly transition, either in providing management or in assisting in providing management, or any other way that seems reasonable and desirable.

Mr. O'BRIEN. There is another point that ties in all through this bill. We are going to have the question raised that we are handing so much money to Alaska, after assuring Congress that Alaska could carry on. But I notice you say on page 4 that if we did not have the omnibus bill it would have to be continued operation by the FAA and that your pending budget requests make no provision for that and that continued operation would thus require a supplementary appropriations act.

Then, if we do not pass this bill, obviously, somewhere along the line, Congress is going to have to come up with some money. So we are not actually handing Alaska all of this money, a great deal of it is a transfer of funds from one place to another, and the overall additional cost to the Government for this whole program is very small.

Mr. QUESADA. That is right. I might add, Mr. Chairman, this is not unique. The Government has given to many communities, innumerable airports, that were surplus property after the war. This is not unique.

Mr. O'BRIEN. It is, perhaps, unique in the major part the military angle plays in it, every third plane.

Mr. QUESADA. Yes, I would say that is quite unique.

Mr. O'BRIEN. One other question. Mr. Wade, in testifyng, suggested that while in this program we are taking care of the jet development that there probably will be additional developments in that field and, perhaps, it might be desirable now, while we are dealing with the problem, to provide a little extra for, perhaps, another thousand feet or so of runway. Do you have any comment on that?

Mr. QUESADA. We have in this case, like in other cases, made estimates, which we hope are reasonably intelligent, of runway requirements. And the runway requirements we are projecting for both Anchorage and Fairbanks are in the order of 10,000 feet. We feel that that is adequate for any need in the foreseeable future. We feel that the runway requirements, as we have forecast them, meet the needs within any reasonable time forward.

Mr. O'BRIEN. And if they did not, somewhere along the line, you would still have the Airport Development Act that could help?

Mr. QUESADA. It could help Alaska like it could help any other State.

Mr. O'BRIEN. Yes.

Mr. QUESADA. Yes, sir.

Mr. O'BRIEN. Or if it was a real emergency, you might have a military action there in the development of the additional runways?

Mr. QUESADA. That is not unusual.

Mr. O'BRIEN. Yes. Thank you very much. The gentleman from Colorado.

Mr. ASPINALL. I would like to ask the General why it is in the Fairbanks area, we have within 500 some arrivals and departures, generally, of all types of aircraft as we do in Anchorage, where you have so much more volume overall. Why is it there is so much similarity between the numbers?

Mr. QUESADA. Maybe Mr. Tippets could answer that.

Mr. TIPPETS. In Anchorage there are more large air carrier operations than in Fairbanks in numbers of aircrafts and they in turn carry more passengers per plane. Fairbanks has one major air carrier from the United States operating in and out of there and several of the Alaskan carriers that operate smaller planes, but very large volumes of operations to and from the outlying areas. Whereas in Anchorage, there are several large major air carriers, as well as the smaller operation and thus carry many more passengers.

Mr. ASPINALL. What you are saying is that as far as the local traffic is concerned, the airport at Fairbanks is just as busy, almost, as the one at Anchorage.

Mr. TIPPETS. Yes, sir; with a different type of aircraft making a predominance in the numbers.

Mr. ASPINALL. On page 2 your statement reveals there is presently \$200,000 profit annually. Is there any reason to expect that would not remain a constant figure for the future?

Mr. QUESADA. Mr. Aspinall, this is a personal opinion, and I think that is what you asked for. I would assume it would go up because the Federal Government, I do not think, is as efficient in operating a facility as a State should be. So I would estimate the revenue might well go up.

Mr. ASPINALL. In other words, if that figure remains constant in the future, the State of Alaska would be able to receive some contri-

butions there to take care of any improvement which is not envisioned at the present time, is that correct?

Mr. QUESADA. Let me make myself clearer. I am convinced, and thoroughly convinced, that the State of Alaska should be able to turn both of these fields into enterprises that are profit-making beyond anything we have suggested here. I am convinced that this is the case.

Mr. ASPINALL. In the operation of such a facility, is it a fairly good principle that the moneys made should be returned to build up and keep in good condition the facilities, rather than that any such moneys should go to the State treasury?

Mr. QUESADA. Yes, I think that is what the State of Alaska should do. I think they should use their revenue to build up the facility to provide additional service.

Mr. ASPINALL. At present, do the military aircraft have to pay fees for using these airfields?

Mr. QUESADA. No, sir, they do not. They are using a Federal field and hence do not pay any fees.

Mr. ASPINALL. In other words, the amount of revenue taken in from either one of these airports does not come in any great amount, at least from the military.

Mr. QUESADA. It does not come, in any sense, from the military.

Mr. ASPINALL. Then on page 5, in light of what you have just stated:

During this interim period the revenues would accrue to the State and could be utilized to reimburse the FAA. These revenues should meet all operating expense. The omnibus grant fund would be available to the State to launch the improvement program.

Were you taking into consideration there the fact they have this \$200,000 profit or were you leaving that out of your figure when you made that statement?

Mr. QUESADA. I am considering the fact that they do have that \$200,000 profit. And that could more than defray any costs that would result in reimbursement.

Mr. O'BRIEN. The gentleman from Pennsylvania.

Mr. SAYLOR. I want to commend you on your statement. There is a matter that you have mentioned, incidentally here, that I think might be of assistance to us in presenting this bill on the floor. That is that you are doing here for Alaska what the military did in many States immediately following World War II, where surplus airports were turned over to communities. Do you have available, or could you make available, without too much difficulty to this committee, a list of the States and the airports, the value that they received? Because I am sure some of those who opposed statehood are going to stand up and say this is what we told you, we are going to have to give a lot of money to Alaska.

Mr. QUESADA. There is available, without the slightest difficulty, a statement that would indicate, translating the value of these assets into money, how much we have made available to the various communities. I think we could break this down by States, if you want. We could do that. Incidentally, the figure amounts to around \$2 billion.

Mr. SAYLOR. If you would make that available to this committee, I would certainly appreciate it.

Mr. QUESADA. I would be very glad to.

Mr. SAYLOR. Thank you.

(The document referred to follows:)

Values of surplus airport properties transferred to public agencies under Surplus Property Act, with total by States

Alabama-----	\$39,300,000	New Jersey-----	\$17,703,000
Arizona-----	38,651,000	New Mexico-----	18,855,000
Arkansas-----	38,564,000	New York-----	23,845,000
California-----	117,569,000	North Carolina-----	42,526,000
Colorado-----	33,816,000	North Dakota-----	191,000
Connecticut-----	10,368,000	Ohio-----	13,054,000
Delaware-----	7,569,000	Oklahoma-----	54,982,000
Florida-----	163,716,000	Oregon-----	33,174,000
Georgia-----	53,855,000	Pennsylvania-----	12,827,000
Idaho-----	16,860,000	Rhode Island-----	1,178,000
Illinois-----	15,195,000	South Carolina-----	34,042,000
Indiana-----	23,993,000	South Dakota-----	12,517,000
Iowa-----	8,385,000	Tennessee-----	22,047,000
Kansas-----	64,630,000	Texas-----	132,809,000
Kentucky-----	10,382,000	Utah-----	3,883,000
Louisiana-----	40,080,000	Vermont-----	0
Maine-----	9,027,000	Virginia-----	13,664,000
Maryland-----	0	Washington-----	48,358,000
Massachusetts-----	7,668,000	West Virginia-----	422,000
Michigan-----	36,972,000	Wisconsin-----	9,344,000
Minnesota-----	3,164,000	Wyoming-----	20,498,000
Mississippi-----	29,759,000	Alaska-----	0
Missouri-----	20,848,000	Hawaii-----	7,541,000
Montana-----	15,601,000	Puerto Rico-----	1,105,000
Nebraska-----	81,512,000	Virgin Islands-----	1,302,000
Nevada-----	6,835,000		
New Hampshire-----	0	Total-----	1,420,186,000

NOTES

The above information is based on figures furnished this Agency by General Services Administration.

The above information does not include the value of the Juneau, Alaska, Airport which was transferred on Oct. 28, 1953, which has a value of more than \$1,616,000.

The Navy, pursuant to Public Law 377, 82d Cong., dated June 5, 1952, by quitclaim deed dated Dec. 10, 1956, transferred the Kahului Airport to the Territory of Hawaii. The value of the property transferred was approximately \$28,467,560.

Mr. O'BRIEN. Mr. Rivers?

Mr. RIVERS. I wish to take this opportunity of telling the committee, for the record, that you and your staff have been very cooperative with the members of the Alaska congressional delegation in briefing them and I wish to publicly express appreciation for your cooperation during the last month or two.

Mr. QUESADA. You are very kind, and we certainly appreciate it.

Mr. RIVERS. I would like to ask you some questions to bring out a couple of points. Would you tell the committee about the 17 intermediate airports and how much money is lost on the operation of those airports which Alaska would be taking over?

Mr. QUESADA. Could I refer that to Mr. Tippetts. He has the information right at his fingertips.

Mr. TIPPETS. Did you want to know the value of intermediate fields and locations?

Mr. RIVERS. I just wanted to confirm the fact that there are 17 intermediate fields which are losing operations.

Mr. TIPPETS. There are 17 intermediate fields which were built prior to and during the war for emergency landing purposes and

for use at some of the smaller outlying communities. These fields, when built, were valued and cost the Federal Government \$25,461,200. They are located at various points around the Territory where the Territory will be able to use them as airports to serve communities. There are some revenues now accruing from these airports, additional revenues can be accrued when the Territory works out a proper landing fee arrangement, and gas tax arrangement, etc.

Mr. RIVERS. Do you have the figure as to what the operating deficit has been for the last several years with regard to those nonprofitable airports?

Mr. TIPPETS. Mr. Rivers, our figure for 1960 show you it would cost us \$588,000 approximately, to operate these fields. This is to keep the landing areas in good all-year-round condition, snow removal and general upkeep of lights, shoulders, and grading. And the revenues, as they are now established, would only net \$70,295. So there would be a deficit operation until additional revenue programs were developed by the Territory.

Mr. RIVERS. Thank you.

General, what I am trying to bring out is that the entire picture is not quite as rosy, I do not think, as you make it because although there will be some \$200,000 net operating profits from the two international airports at Anchorage and Fairbanks, there are 17 intermediate airports which are losing operations. I think that the Secretary of State, Hugh Wade, had that in mind when he said, perhaps, there ought to be a couple more million dollars added to the grant in contemplation of doing something with passenger terminal facilities and otherwise developing these money-losing airports during the many years it is going to take before most of those intermediate airports are going to be profitmaking enterprises. I want to point out we do have 17 fields which the State will take responsibility for and they are not moneymakers.

Would you wish to comment on that?

Mr. QUESADA. As a rule, they are not earners, I have to agree to that.

Mr. RIVERS. Would the Government, for instance, hold back the hangar at Anchorage which is used by FAA for its own operation?

Mr. QUESADA. It had been our plan to keep that hangar for our own use.

Mr. RIVERS. Would the holding back of that hangar and certain activities connected with that cut the net operating profit down below \$200,000 a year?

Mr. QUESADA. No, sir.

Mr. RIVERS. It would have no effect?

Mr. QUESADA. I would think it would have no effect. The hangar has never been a revenue bearing asset.

Mr. RIVERS. Would the free use you would desire, of certain floor space, cut down on the anticipated net revenues of the State?

Mr. QUESADA. I did not quite understand.

Mr. RIVERS. Would you not be reserving some free use for your agency of certain floor space and office space in the terminal facility?

Mr. QUESADA. We would be reserving only space in the control tower—

Mr. RIVERS. I see.

Mr. QUESADA. Which is also non-revenue-bearing. There has been no revenue accruing to the Federal Government through the control tower.

Mr. RIVERS. It is your considered opinion, then, that the net revenue, the net amount after paying all cost of operation, would be around \$200,000 this coming year?

Mr. QUESADA. Or more.

Mr. RIVERS. Or more?

Mr. QUESADA. That is right.

Mr. RIVERS. That is all, Mr. Chairman.

Mr. O'BRIEN. The gentleman from Florida, Mr. Haley.

Mr. HALEY. I have no questions, Mr. Chairman. I might make an observation as far as the General is concerned. I notice one of the well-known columnists commented the other day about your getting one of our Senators down out of the air. I hope that does not happen again. Especially, when a close vote comes up and we do not want to override the President's veto.

Mr. QUESADA. I can assure you, Mr. Haley, that the article in this morning's Post was without substance or fact. It was a good story if it was not ruined by that fact.

Mr. HALEY. I might say those kind of stories do not hurt you. Any time they spell the name right, it is all right.

Mr. QUESADA. Thank you, sir.

Mr. O'BRIEN. Mr. Ullman?

Mr. ULLMAN. I want to commend you, Mr. Quesada, for confirming the fact you have thrown away your military hat when you took over this job and despite your past military activities which are most commendable, this is a civilian job and you are taking it on as such, and doing a good job of it.

Mr. QUESADA. Thank you.

Mr. ULLMAN. Regarding the military use of these airports, is it customary, according to established procedures, to allow the military, in case this is turned over to the State, to continue to use them on a free basis, or will there be some reimbursement?

Mr. QUESADA. Continued use by the military establishment for those bases that have received public grants is the policy now, and that is the practice.

Mr. ULLMAN. Continued free use?

Mr. QUESADA. Yes.

Mr. ULLMAN. That applies to the use of the landing facilities and also whatever hangar facilities you may have on the airport?

Mr. QUESADA. If the hangars are not federally owned, the military would have no right to use them without payment.

Mr. ULLMAN. Are there such facilities on these airports now?

Mr. QUESADA. There are no such facilities on the airports now.

Mr. TIPPETS. At Anchorage there is a National Guard unit there for training and they have a small hangar in Anchorage that is military-owned, as Mr. Quesada described.

Mr. ULLMAN. And they will continue to operate that on a free basis?

Mr. TIPPETS. Yes. It is on the opposite side of the field on ground away from the commercial side, that is where the civil terminal building is.

Mr. ULLMAN. Can you foresee if this commercial load develops, as it probably will, in the immediate future, that there will be some conflict between military and commercial use of these airports?

Mr. QUESADA. I think there might be, but it would have to develop into a volume far in excess of what it is now, oh, by a magnitude of 10 times what it is now.

Mr. ULLMAN. You have a lot of leeway, then, to take care of the future?

Mr. QUESADA. Plenty.

Mr. ULLMAN. Can you foresee, in the development of new polar routes, the accelerated usage of Alaska airports?

Mr. QUESADA. I am being a prophet in my answer. I foresee in the foreseeable future the route that is through Alaska being the conventional route to the Orient. It is the shortest. And we now are developing and now have aircraft with sufficient range to exploit the Great Circle course. When the Pacific route was developed through Hawaii and through Wake, and the islands extending on to the Orient, this was dictated primarily by two factors—the range of the airplane and weather. Now, the range of the airplane is greater and by the development of techniques that permit us to cope more successfully with weather, it is becoming a lesser factor. So in answer to your question, I have heretofore given an explanation, I now say that I forecast the Alaska route as being the major route to the Orient.

Mr. ULLMAN. Is it not used, to a limited degree, for polar flights to Europe from the west coast.

Mr. QUESADA. They go east of Alaska, from the west coast.

Mr. ULLMAN. That would be out of the way.

Mr. QUESADA. If they are going to Europe, they go east of Alaska.

Mr. ULLMAN. And we cannot anticipate any other route over Russia, of course, in the immediate future, so we cannot anticipate that use.

Mr. QUESADA. That is right.

Mr. ULLMAN. What about the airport facilities out on the Aleutian Islands? Do they remain military, whatever we have there?

Mr. QUESADA. All facilities on the Aleutian Islands, excluding those 17 that have been referred to, will remain military.

Mr. ULLMAN. Are some of those 17 secondary airports on the Aleutian Islands?

Mr. TIPPETS. Our final terminal of our operation is at Cold Bay, which is really at the butt of the Aleutian Islands. However, Northwest Airlines, under a lease arrangement with the Government is operating Shemya, which is one very near the end of the Aleutian chain. All other airports still operate in the Aleutians such as Adak and whatever other fields they have are, as Mr. Quesada said, under military operation. But the FAA's last point of operation is Cold Bay.

Mr. ULLMAN. Thank you, gentlemen.

Mr. O'BRIEN. Are there any other questions?

Thank you very much, General, we are grateful to you.

Mr. Seidman, do you have anything further?

Mr. SEIDMAN. I would like to have an opportunity to comment, briefly, on some of the suggestions made by Secretary of State, Wade, because we had not heard those suggestions prior to this morning.

Mr. RIVERS. Mr. Chairman.

Mr. O'BRIEN. Mr. Rivers.

Mr. RIVER. I have a request. I have prepared about a 4-minute statement here, and if I could get that in this morning, I would like to.

Mr. SEIDMAN. Why do you not go ahead? I think I can make my comment in about 5 or 10 minutes.

Mr. O'BRIEN. I wonder if we could not do this and might simplify the whole matter. If Mr. Aspinall, the chairman of the full committee, approves, this is a very technical and very involved bill and we have all been impressed by your grasp of it. Would it be possible for you to be with us at our executive session, when we start marking up the bill?

Mr. SEIDMAN. Certainly. I would appreciate the opportunity of being here.

Mr. ASPINALL. I would suggest that Mr. Seidman prepare his critique of former Acting Governor Wade's testimony so we can have a copy of it within the next two or three days.

Mr. SEIDMAN. I would be glad to do that, and prepare it for the record.

Mr. O'BRIEN. If there is no objection, it will be inserted in the record at this point.

Mr. SEIDMAN. Thank you, sir.

(The statement follows.)

BUREAU OF THE BUDGET COMMENTS ON SUGGESTIONS OF HUGH J. WADE, SECRETARY OF STATE OF ALASKA

The Bureau of the Budget has the following comments on the suggestions made by Hugh J. Wade, Secretary of State of Alaska, in his testimony before the Subcommittee on Territorial and Insular Affairs of the House Committee on Interior and Insular Affairs on May 5, 1959.

1. TIMING OF TRANSFER OF HIGHWAY FACILITIES AND FUNCTIONS TO THE STATE OF ALASKA

The Bureau of the Budget is in complete agreement with Mr. Wade that the transfers of highway properties and facilities authorized by section 21(a) of H.R. 6091 should be accomplished at the earliest practicable date. No date was included in the bill because we believed that the precise timing of the transfers should be established after negotiations with the State of Alaska. We would have no objection, however, to an amendment which would provide that the transfers be accomplished not later than June 30, 1960, or such earlier date as may be agreed upon by the State of Alaska and the Secretary of Commerce.

2. ADMINISTRATION OF HIGHWAY FUNCTIONS

The transfer of responsibility for highway functions to the State of Alaska would present few, if any, immediate organizational and administrative problems, except for those inherent in any reorganization. The State of Alaska under section 40(b) of the bill would be authorized to contract with the Bureau of Public Roads for the construction and maintenance of Alaska's State highways until June 30, 1964, so that the State would have ample time to organize and staff its own highway department and to take over highway functions on a gradual basis.

3. SPECIAL HIGHWAY PROVISIONS FOR ALASKA

The Bureau of the Budget strongly opposes Mr. Wade's suggestion that Alaska be accorded special treatment under the Federal-Aid Highway Act. Mr. Wade, in effect, offers to trade off one-third of the land area of Alaska for the purposes of apportionments under the Highway Act in return for (1) maintaining the present matching ratio of 91 percent Federal funds and 9 percent State funds, and (2) continuing authority for the use of up to 25 percent of Federal-aid funds for maintenance. In keeping with such change, the proposed amounts of

transitional grants authorized by section 40 of the bill would have to be reduced by \$4 million for each of the fiscal years 1960, 1961, and 1962 since these sums were included to assist Alaska in meeting highway maintenance costs.

We believe the special treatment proposed by Mr. Wade for Alaska is out of keeping with the basic aim of the current Federal-Aid Highway Act. The entire emphasis in that act, as set forth in the declaration of policy (23 U.S.C. 101), is on the "acceleration of the construction of the Federal-aid highway systems * * *." The act specifically places upon the States the duty to maintain any project constructed under the act as long as such project remains part of a Federal-aid system. The special treatment proposed for Alaska has also been proposed by some other States, all of which have been turned down. Such treatment would eliminate all State responsibility for highways, eliminate the need for sound consideration at State levels of plans to participate in the Federal-aid highway program and place a perpetual burden on the Federal Government to maintain an ever-growing State highway system. (It must be remembered too, that we are speaking of the entire State highway system, since it is all under the Federal-aid program.) We would have grave doubts as to whether such specific special treatment for one State is possible under a general Federal-State program in our scheme of government. A special privilege should not be granted to Alaska which is denied to all other States.

4. BENEFITS TO ALASKA UNDER GENERAL AID FORMULA AND OMNIBUS BILL

Under the general aid formula, Alaska will receive Federal-aid highway funds for primary, secondary, and urban systems in excess of \$37 million, a larger amount than is available to any other State. Because of its large proportion of vacant public land, Alaska's matching share will also be less than any other State. Alaska's share will be 13.5 percent (Nevada, the State with the next greatest amount of public land, matches 16.8 percent, and Utah, next in line, matches 25.6 percent; the non-public-land States match 50 percent).

With the \$12 million included in the transitional grants, and with the authority to continue to use Federal-aid funds for 1960 and prior years for maintenance, it is conceded that Alaska can maintain her highways at current cost levels during the transitional period and develop a substantial construction program at the same time without any additional financial burden on the State.

Mr. Wade is concerned solely with Alaska's ability to finance road maintenance after the 5-year transitional period. Our economic forecasts for Alaska indicate that, even at current levels of taxation, State revenues should conservatively increase by over \$5 million in the next 5 years, enough to cover most maintenance costs. And, it must be noted, State taxes in Alaska amount to only 3.5 percent of Alaska income, while State taxes in the United States as a whole exceed 4.5 percent of income. If Alaska State taxes were raised to the national average, an additional \$10 million might be realized by the State. Finally, it must be noted that Alaska, at the time of admission, had no bonded indebtedness and that many other States have availed themselves of that means of financing necessary road improvements.

5. ROAD-MAINTENANCE CAMPS

Our information is that the Alaska Road Commission, under the Interior Department, concluded an extensive program of developing facilities for use in the roads program shortly before that program was transferred to the Bureau of Public Roads. Since BPR took over the function, it has programed \$696,000 for construction and repair of those facilities, particularly the Dillingham and Valdez camps. At present, these facilities consist of 3 large depots—at Juneau, Anchorage, and Fairbanks—6 smaller depots, and 35 maintenance installations.

MR. O'BRIEN. We will now recognize the gentleman from Alaska, Mr. Rivers, a member of this committee. His statement will conclude the hearings on H.R. 6091.

STATEMENT OF HON. RALPH J. RIVERS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ALASKA

MR. RIVERS. Mr. Chairman and members of the committee, it is my pleasure to appear before this committee, of which I have the honor

of being a member, in support of H.R. 6091, subject only to a few minor changes which either have been or will be suggested.

Shortly after becoming a Member of this Congress as U.S. Representative from Alaska, I was advised by Mr. Harold Seidman of the Bureau of the Budget that he had been assigned the responsibility of analyzing the need for transition legislation necessary for transference from the Federal Government to Alaska of various governmental functions which should be taken over by Alaska under its newly won statehood, and that the study was virtually completed and being drafted in the form of an omnibus bill.

I thereupon asked him, in effect, to tell me, "What is the verdict?" Mr. Seidman explained that the purpose was to put Alaska on an equal footing with the other States with the full rights and obligations pertaining thereto, but to cushion the impact upon the State through transitional grants totaling approximately \$27½ million over a period of 5 years. He pointed out that this was approximately the amount the Federal Government would expend during such period if it continued to administer these programs, but that by turning the money over unearmarked it would become available as part of the State's general financial resources and be usable by the State as the State saw fit.

Programs and functions to be transferred would include civil airports, highway construction and maintenance with full participation under the Federal Aid Highway Act, provisions to put Alaska on an equal footing as to Federal assistance for national defense education, vocational education, school construction and operation in federally affected areas, vocational rehabilitation, water pollution control, hospital and medical facilities construction, old-age assistance, and other social security programs.

Since highway apportionments have already been made for fiscal year 1960, Alaska will continue its limited participation under the Federal-Aid Highway Act for another year, but with the consolation that it may use federally granted road funds for maintenance for another year.

The matters of transferring the judiciary in Alaska and fish and wildlife management are covered in the statehood bill.

In the initial conversation with Mr. Seidman and in subsequent conversations with him and with FAA authorities, it was made amply clear that the Federal Government is determined to get out of the civil airport business in Alaska. Although the water and sewer systems for both the Anchorage and Fairbanks International Airports were never completed, the Congress has refused over a period of about 9 years to appropriate money for that purpose (except about \$225,000 last year, which still leaves these sewer and water systems incomplete), or for any other capital improvements or enlargements.

I came to the conclusion that the only way Alaska will attain a position to promptly extend the runways at these two principal airports to meet the needs of the jet age would be through the grants authorized in this omnibus bill. I have had the reservation in mind, however, that these grants, which contemplate money for extension of runways, do not embody any amount (after meeting all of the other contemplated needs) for expansion of air terminal and passenger facilities at the Anchorage and Fairbanks International Airports,

which facilities must be expanded to take care of the great increase in domestic and international traffic anticipated during the next 3 to 4 years at an expenditure of several million dollars.

This time element coincides with the fact that the schedule for transition grants set forth in section 40(a) of the omnibus bill calls for final installments of only \$2,500,000 for each of the fiscal years ending June 30, 1963 and 1964. In view of the fact that the Federal Government is getting out of the civil airport business, and because the transfer also includes money-losing intermediate airports in Alaska, and because I know that it is the intent of the Federal Government to give the new State every reasonable chance to succeed during the trying years ahead, I am firmly convinced that the last two installments I have mentioned should be \$3,500,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964, instead of \$2,500,000 for each of those 2 years.

This extra \$2 million, at a time when construction will no doubt be more costly than it is now, would partially solve the need of which I speak, and the State will have to raise such remaining amount as may be needed.

Other reservations which I entertain in regard to this bill involve minor amendments which I have already discussed with Mr. Seidman and my Senate colleagues from Alaska, and which appear to be advisable and mutually agreeable. These points have been largely covered for the record by other witnesses.

By way of summary, I wish to commend Mr. Seidman and others who have worked with him in drafting this bill, for the conscientious and able job which has been performed, and to say that I subscribe to the fundamental philosophy that Alaska, as a State, is ready to exercise its full rights on an equal footing with the other States, and to assume its full responsibilities, subject only to the orderly transition which the Federal Government recognizes as essential, including the transition grants which I have discussed.

In closing, I point out that time is of the essence because the President has budgeted nothing for the programs above mentioned for fiscal 1960, except in connection with this omnibus bill. Therefore, it is essential that passage of this bill plus ensuing action by the Appropriations Committee and this Congress be completed prior to July 1, 1959, including the financial adjustment I have requested for implementing expansion of terminal facilities.

Thank you, Mr. Chairman, and members of this committee, for your attention and consideration in regard to this matter which is vitally important to my State of Alaska.

Mr. Chairman, that ends my formal statement. You might want me to comment upon the road phase, or factor, brought up by Secretary of State Hugh Wade, but I have not thought that out sufficiently and will be willing to discuss that with the members of the committee in executive session.

Mr. O'BRIEN. I think that might be desirable. Thank you very much, Mr. Rivers. I wonder if I may make this comment, as we conclude these hearings. I think Mr. Saylor and the other members of the committee would agree with me that we have seen evidence in connection with this particular bill of great cooperation and desire to do the right thing between the executive department and the leg-

islative representatives of the State of Alaska than I have seen in most of the legislation we have been called upon to handle here.

It is true that there are certain amendments that you, Mr. Rivers and others from Alaska, would like to see in there. And I would hope that when we sit down next week to write up the bill, with Mr. Seidman and others present, that we can have the same degree of cooperation and mutual desire to get this new, tremendously large State over its teething stage. I just wanted the record to show, as chairman of this particular subcommittee, that I have been most impressed by the spirit of compromise, conciliation but above everything else, the desire to do right by the great new State.

Mr. Saylor?

Mr. SAYLOR. I have one question I would like to ask Mr. Seidman. Mr. Seidman, I have noticed in this bill, section 45 is the usual separability section of the bill. The number of amendments which are in this bill, in practically every section, are changes in particular pieces of legislation. Now, I know it is humanly impossible for even the best of our people who draft legislation to make sure they have covered every possible law that might affect Alaska. I was wondering whether or not we should not have included in this bill a provision that the inclusion of the amendments which we have does not of necessity exclude those others which; if they were mentioned, would have been amended in this bill.

Mr. SEIDMAN. Mr. Saylor, that is a very sound suggestion. You are correct. We did our human best to cover every statute affecting Alaska, but it was just an impossibility to deal with every one, and I think your suggestion is very well taken.

Mr. SAYLOR. Because if you did not, all you would have to do, as a lawyer, would be to discover a law that was not mentioned in here and we are in court. To paraphrase my good friend Walter Rogers, if he were here, it would be building a bird's nest on the ground for all of the lawyers. That is all.

Mr. O'BRIEN. The hearing is concluded.

(Whereupon, at 12 noon, the committee was recessed, to reconvene subject to the call of the Chair.)

ALASKA OMNIBUS BILL

HEARING BEFORE THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE

EIGHTY-SIXTH CONGRESS

FIRST SESSION

ON

S. 1541

A BILL TO AMEND CERTAIN LAWS OF THE UNITED STATES
IN LIGHT OF THE ADMISSION OF THE STATE OF ALASKA
INTO THE UNION, AND FOR OTHER PURPOSES

MAY 7, 1959

Printed for the use of the Committee on Interior and Insular Affairs



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ALASKA OMNIBUS BILL

THURSDAY, MAY 7, 1959

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The committee met at 10 a.m. in room 3110, New Senate Office Building, Senator Henry M. Jackson presiding.

Present: Senators Jackson, Gruening, and Moss.

Also present: Senator E. L. "Bob" Bartlett; Congressman Ralph Rivers; Stewart French, chief counsel, and Michael J. Cafferty, subcommittee counsel.

Senator JACKSON. The committee will come to order.

This is a hearing on S. 1541, the so-called Alaska Omnibus bill. This measure is made necessary and desirable because of the transition of Alaska from a great Territory into a great State of the United States.

The bill before us was drafted by the executive agencies concerned with the administration of Federal laws in Alaska, and was submitted by the Bureau of the Budget which is the branch of the Government that speaks for the President in such matters.

S. 1541 was introduced by the distinguished chairman of the full committee, Hon. James E. Murray of Montana, for himself and Senators Anderson, Goldwater, Jackson, Kuchel, and O'Mahoney. At the chairman's request, I am conducting the hearings on the measure since it was the subcommittee of which I am chairman that handled the Alaska Admission Act of which S. 1541 can be said to be a supplement. I will direct that the text of S. 1541 as introduced, together with executive agency comments on it, appear as an appendix to this hearing.

Each of the Alaskan representatives will want to be heard on this measure. Our first witness will be the Honorable Ernest Gruening, junior Senator from Alaska, who is an able and distinguished member of this committee. Senator Gruening.

STATEMENT OF HON. ERNEST GRUENING, U.S. SENATOR FROM THE STATE OF ALASKA

Senator GRUENING. Mr. Chairman, this omnibus bill is an administration bill designed to eliminate some of the problems which exist in the transfer from the territorial status of Alaska to that of the 49th State, and a great deal of work has been done on it, particularly by Mr. Harold Seidman, of the Bureau of the Budget, and his assistant Mr. Schnoor, and we are extremely grateful to them for their very painstaking efforts.

We have had a good many meetings on this bill. I do know that it does not represent the ideal solution to all our problems. It is natural that we cannot always have a meeting of minds on all issues, but I know that this represents a very studied, careful and conscientious effort, and I think that the bill is as good a bill as we can expect at this time. I hope we can conclude these hearings on it speedily and get it underway to passage.

I would like to suggest, as Mr. Seidman is really the person that has handled this from the start and knows all the ins and outs and pros and cons, that he be allowed to proceed now, and then later we can develop any doubtful points or questions.

Senator JACKSON. We can always go back in the event that is necessary.

Mr. Seidman, will you have a chair and bring your assistant.

Mr. SEIDMAN. I have two. My learned counsel is with me, too.

Senator JACKSON. Mr. Seidman, will you identify yourself and your two assistants for the record so the reporter will have it in the event either of them desires to comment during the course of the discussion here.

STATEMENT OF HAROLD SEIDMAN, ASSISTANT CHIEF, OFFICE OF MANAGEMENT AND ORGANIZATION; ACCOMPANIED BY HOWARD SCHNOOR, MANAGEMENT ANALYST, BUREAU OF THE BUDGET; AND MRS. RUTH VAN CLEVE, ASSISTANT SOLICITOR, DEPARTMENT OF THE INTERIOR

Mr. SEIDMAN. My name is Harold Seidman. I am the Assistant Chief of the Office of Management and Organization of the Bureau of the Budget, and I am accompanied by Howard Schnoor, my associate in the Bureau of the Budget, and by Mrs. Ruth Van Cleve, Assistant Solicitor of the Department of the Interior, who was very generously loaned by the Department of the Interior to the Bureau of the Budget to assist in the study of the Alaska omnibus bill.

Senator JACKSON. She has been here before, and we always appreciate her help. You may proceed in your own way.

Mr. SEIDMAN. I might also say that testimony will be given by the Department of Commerce and by the Federal Aviation Agency on the sections of the bill dealing with their program.

There are also present representatives of the Department of Health, Education, and Welfare, who will be available if questions are asked of the various programs administered by that agency.

I have a prepared statement, Mr. Chairman, and, with your permission, I would like to read it.

Senator JACKSON. That will be fine.

Mr. SEIDMAN. Mr. Chairman and members of the committee, I am pleased to appear before your committee in support of S. 1541, a bill to amend certain laws of the United States in the light of the admission of the State of Alaska into the Union, and for other purposes.

The basic purpose of S. 1541 is to accomplish Alaska's transition from a State by law to a State in fact. The proposed legislation is a tangible expression of our faith in Alaska's future and our conviction that Alaskans possess both the desire and the capacity to assume the responsibilities of statehood and management of their own affairs.

S. 1541 is designed to make those changes in Federal laws which have become necessary and desirable because of Alaska's admission in the Union on an equal footing with the other States in all respects whatever. The President recommended in his 1960 budget message that, where necessary, changes should be made in Federal laws "to apply to Alaska the same general laws, rules, and policies as are applicable to other States."

The bill would (1) make Alaska eligible to participate in a number of Federal grant-in-aid programs on a comparable basis with the other States; (2) terminate certain special Federal programs in Alaska; (3) authorize various measures required to facilitate an orderly transition, including property transfers and transitional grants; (4) clarify the applicability of certain laws to Alaska; and (5) eliminate inappropriate references to the "Territory of Alaska" in Federal statutes.

Alaska already participates in the majority of Federal grant-in-aid programs on the same basis as other States. However, there are a number of Federal grant-in-aid programs where Alaska is still accorded, as it was when a Territory, treatment different from that of other States.

We believe that Alaska, as a full and equal member of the Union, should not receive more or less favorable treatment than other States under these programs. The bill, therefore, would amend pertinent laws providing Federal assistance for national defense education, vocational education, school construction and operation in federally affected areas, highway construction, vocational rehabilitation, water pollution control, hospital and medical facilities construction, old age assistance, aid to dependent children, aid to the blind, aid to the permanently and totally disabled, and child welfare services to bring Alaska under the apportionment and matching formulas applicable to all other States as soon as possible.

Since the 1960 fiscal year apportionments have already been made, Alaska would not participate in the Federal-aid highway program on an equal basis until fiscal year 1961.

Transitional provisions have been included in the proposed amendments to the Smith-Hughes Act, which authorizes grants for vocational education, and the Vocational Rehabilitation Act so as to minimize the effects of any program adjustments which may be required during the transitional period. Special Federal grants to Alaska for general and mental health and construction of recreation facilities would be terminated, but the amounts which Alaska would have received under these programs are included in the proposed transitional grants authorized by section 40(a) of the bill.

While the bill provides that Alaska as a State shall be accorded equal treatment under Federal grant-in-aid programs, it would continue a limited number of statutory provisions which permit Federal agencies to take into account unusual economic and other factors in conducting their programs in Alaska. These provisions are wholly unrelated to Alaska's previous status as a Territory and do not affect Federal-State relationships. Section 10 of the bill, for example, would retain provisions of the National Housing Act which recognize that construction costs in Alaska substantially exceed those in other States by authorizing increased dollar limitations for Federal home

mortgage insurance. These provisions confer no special benefits on the State of Alaska, but they do enable individual Alaskans to take advantage of the Federal housing programs.

I might say here that the difference in cost according to figures we have from the Housing and Home Finance Agency is approximately 100 percent. The median property value for new one-family homes in the States as a whole is approximately \$14,000, and that in Alaska is \$30,000, so that, if this provision were not retained, it would in effect substantially curtail housing construction in Alaska.

Senator JACKSON. I realize that. I would be interested, however, because I have already had some complaints on this point, in your reasoning under which an exception is to be made.

Is it not true that the argument on costs can be made within the other 48 States? For example, the cost differential between construction costs in a State where the costs are the lowest as compared with the State which has the highest.

Mr. SEIDMAN. Senator Jackson, there are not very great discrepancies among the other States. There are differences but they are not as dramatic as they are in this case.

I think the median property value of new one-family homes—these figures are from 1957—was \$14,261. The lowest State was Maine, which was approximately \$11,000, and the highest State, other than Alaska, was, I think, Delaware with approximately \$16,000.

Senator JACKSON. How about in the South? Is Maine the lowest of the 48?

Mr. SEIDMAN. Maine is the lowest of the 48 States. North Carolina is next, and then South Carolina.

Senator JACKSON. Does this apply only to Alaska, the increase in mortgage?

Mr. SEIDMAN. Among the States, it only applies to Alaska, and this is not the same as the grant-in-aid programs which affect dealings of the Federal Government with the States.

Senator JACKSON. I understand that. But does the language apply directly to Alaska and to Alaska alone?

Mr. SEIDMAN. It applies to Alaska, Guam, and Hawaii.

Senator JACKSON. Have we ever done this before?

Mr. SEIDMAN. I think we have precedent under general formula laws for providing differences not only as among States but in areas. For example, one that comes to mind is the bill now before the Congress which would provide assistance in areas of unemployment.

Senator JACKSON. But you see I am putting it in a different way. I am saying now have we ever before singled out a State?

Mr. SEIDMAN. I do not think we have ever singled out a State. Maybe Mrs. Van Cleve knows of some instance.

Senator JACKSON. This is very important when we get to the floor because I have already had some questions about this.

I just want to get all the precedents and all the facts and all the information possible.

Mr. SEIDMAN. I would say we would look at it this way, Senator Jackson: I think I would agree it would be far more desirable that there be a general provision not applicable to Alaska but I would say, for example, if there were a provision in the Housing Act which said that the Housing and Home Finance Administration in any State

where costs exceed those in other States by 50 percent, may take that fact into account. It would take care of the situation.

The general approach we have taken in the omnibus bill was to avoid, where we could, any general substantive amendments to general statutes.

Senator JACKSON. If it is worded in this way, if you are providing for a certain kind of house throughout the country, without reference to a State and forgetting about the State of Alaska as a State, but word it so that all States will have the right to get insurance dealing with certain general types of housing, I do not think you have any problem. It is how you do this; it is how you word it that concerns me.

Mr. SEIDMAN. But this was not inconsistent with the general pattern of equal treatment. The fact is that we regard it as unequal treatment if you do not have this special provision for Alaska.

Senator JACKSON. Where is this provision?

Mr. SEIDMAN. It is section 10. Because, in effect, it would debar Alaskans from effective participation in the program.

The properties covered by mortgage insurance must meet all the standards of insurability, soundness of construction. This is a self-sustaining program; they pay for what they get, for the increased amount of coverage.

Senator JACKSON. I am not familiar with the statute. As long as this is worded so that all States can participate equally and get the same things, it is all right. We do not want to create a situation wherein Alaska is to be singled out because it is a new State, and is to be given special treatment.

I think this puts Alaska in a difficult position, and it should not be in that position. But the people in Alaska should have an opportunity to get insurance based on a general finding that it is in the public interest for the Government to insure houses with three bedrooms, two bedrooms, and so on.

Do you see what I am getting at?

But do not single it out because Alaska is a high-cost State. I think we just invite disaster on the floor.

Mr. SEIDMAN. This is the provision of existing law—we are not changing it:

The Federal Housing Commissioner finds that, because of higher costs prevailing in Alaska, Guam, or Hawaii, it is not feasible to construct dwellings on property located in Alaska or in Guam or Hawaii without sacrifice of sound standards of construction, design, or livability, within the limitations as to maximum and maxima mortgage amounts provided in this chapter, the Commissioner may, by regulation or otherwise, prescribe, with respect to dollar amount, a higher maximum or maxima for the principal obligation of mortgages insured under this chapter covering the property located in Alaska or in Guam or Hawaii in such amounts as he shall find necessary to compensate for such higher costs but not to exceed, in any event, the maximum otherwise applicable by more than one-half thereof.

Senator JACKSON. What is the maximum now?

Mr. SEIDMAN. I think it is \$10,000 on homes.

Senator JACKSON. What is the criterion now on housing? Does it relate to the type of construction or does it relate to the size?

Mr. SEIDMAN. These are single-family dwellings.

Senator JACKSON. But is the policy to make it possible for the people in the other 48 States to achieve the same type of housing in general—I do not mean complete conformity, but in general—as they can get in any other place, realizing and keeping in mind that costs will vary from State to State?

Mr. SEIDMAN. That is correct.

Senator JACKSON. Then why can we not handle it in such a way that the policy is stated and the director of housing can lay down the necessary rules to maintain this uniform objective standard throughout the 49 States without getting Alaska, Guam, and Hawaii in a position of being singled out? Do you see what I am getting at?

Mr. SEIDMAN. The reason, of course, we are here just maintaining existing law is it was our view that the need had not been demonstrated in the other States for doing this.

Senator JACKSON. But it vests the discretion in the director. Otherwise we are making Alaska, Hawaii, and Guam targets here. I think philosophically this is the wrong approach.

Senator GRUENING. Can we not have language that will meet the chairman's objection?

Mr. SEIDMAN. This would create a problem in terms of a substantive amendment to the Housing Act, which we have tried to avoid. It would be a fairly important one in this bill, and in terms of other committee jurisdiction we have tried to avoid that. This bill merely cleans out some inappropriate references to the Territory.

As to this section, if it were eliminated from this bill, the provisions would still remain in force and effect.

Senator JACKSON. But you are in a completely defensible position if you start with the premise that it is the objective of the Housing Act to provide housing on the basis of equality. That is what you are trying to do. Every State comes in on an equal footing, all to be treated the same.

The objective is to give not identical but a similar type of housing so that people will have that right up to a maximum amount, which will give them a house of one, two, or three bedrooms, whatever it is, realizing at all times that to get that similar type of housing there are varying costs. But the policy is to make it possible for them in America to have family-insured homes.

If this is the policy, then why not make the amendment conform with that policy objective, without getting into this situation where you are, by statute here, carrying a provision in the previous law where Guam, Hawaii, and Alaska apparently were exempted, and singling them out as Territories?

Philosophically it bothers me, and from a logical standpoint it bothers me because I think it makes an unnecessary target out of Alaska, Hawaii, and Guam.

Mr. SEIDMAN. I think it would be more desirable if it could be done generally without singling out Alaska, but I might call attention to other problems similar to this. We have another provision, for example, on soil conservation which maintains a difference for Alaska in terms of county committees.

I think that the act generally says that the Secretary of Agriculture, in the administration of that act, must use county committees and (at least) one committee for each county. That just does not make any sense for Alaska.

Senator GRUENING. Because we have no counties.

Mr. SEIDMAN. That is right.

They use three committees that serve a group of geographic areas which are comparable to counties.

Senator JACKSON. There is no problem there, though. I do not think that is the same thing. That does not bother me because all you do is to change it to conform to the State structure. If you do not have counties you cannot have county committees in the sense that you would in the other States. Or, 47 of them have counties, and 1 has parishes.

But I am just concerned about the reasoning here. I do not mean to be a stickler, but it seems to me that you can achieve the same thing without putting Alaska in this position.

Why don't we go through the rest of it now?

Mr. SEIDMAN. Yes.

I do not know whether we can solve this now since this would raise some questions with the Housing Agency to apply this generally.

Mrs. VAN CLEVE. You asked a moment ago about other statutes which singled out States for special treatment, Senator.

I wonder if the reclamation laws are not an example of that and whether this is far different from that, by way of analogy.

Senator JACKSON. Where we recognize water rights, you mean?

Mrs. VAN CLEVE. Where we afford special treatment to the 14 Western States and no similar treatment, as I understand it, to the Eastern States or, as a matter of fact, to Alaska, which I think is not covered by the reclamation laws.

This, of course, recognizes a peculiar problem in the Western States.

Senator JACKSON. The only reason for that is that the water problems in that area were singled out not because they were Western States but because in that area they had a common problem. The same thing is true in connection with flood control projects. There are some States that have virtually none. We have Federal power projects in some States and not in others.

I do not think that is on all fours with what concerns me here. As a matter of fact, I would not be surprised but that out of a special water resources committee we are setting up in the Senate we may well extend the provisions of the Reclamation Act.

It is not what you are doing here. It is how you do it that disturbs me.

Being in charge of this bill, I want to be able to explain it logically.

It seems to me that all you have to do is to make a finding here that it is the policy of the Federal Government to provide equality, insofar as one can, of housing objectives, keeping in mind that if there is anything peculiar about America it is that we are not a homogeneous people or a homogeneous economy. We vary from State to State. But we do have broad Federal objectives in which we give to all citizens the right to achieve basic objectives, realizing the costs will vary.

We have it right in the military construction bill. We have a variable rule on construction costs, State by State, depending entirely on what the actual costs are.

I just want to adhere to those sound standards.

Senator GRUENING. Could we not adopt some of the language of the military construction bill?

Mr. SEIDMAN. I think, Senator Gruening, it would be possible certainly without difficulty to work out something that would provide a general formula under which this could be done. I will undertake to explore this problem with the Housing Agency and with my superiors in the Bureau. It may raise other questions of which I am not aware at the moment, but I will look into it.

Senator JACKSON. You see my concern?

Mr. SEIDMAN. I certainly do.

Senator JACKSON. This is the only problem, I think, in the whole bill, and we ought to meet this head on. I am sure we can find a way out.

We had the Legislative Reference Service run this down, and they say there are no precedents for this. So let us avoid any headache here.

I am all for doing this. It is the old, old story—how you do it.

I think we can go in there on the floor of the Senate and have no problem at all if we set some Federal standards and then just give the Director discretion. That is all you have to do.

Mr. SEIDMAN. I will do my best to see if we can get some language developed.

Alaska presents many unique and difficult problems not previously encountered when new States were admitted into the Union. Transitional problems are greatly complicated by the fact that the Federal Government has chosen directly to perform functions in Alaska which normally have been delegated to Territorial and local governments. The Federal Government has constructed and maintained highways, operated commercial airports, administered justice, and provided a number of other services and facilities in Alaska which are elsewhere furnished by local government agencies.

The State of Alaska obviously will never be master in its own house as long as the Federal Government continues to control major programs and policies which properly are matters for State determination. For this reason, the President recommended in his 1960 budget message that, in the long-run interest of both the State and the Nation—

the Federal Government should not continue special programs in Alaska which, in other States, are the responsibility of State and local governments or of private enterprise.

S. 1541, in section 21, would transfer to Alaska responsibility for State highway functions which have been exercised by the Bureau of Public Roads, and, in section 35, would transfer to Alaska the Anchorage and Fairbanks airports. Transfer of intermediate airports would be accomplished under authority of the Surplus Property Act of 1944, as amended. Transfer from a system of Federal courts to a State court system is provided by section 18 of the Alaska Statehood Act, and transfer of game management functions is covered in section 6 of the Statehood Act.

We are fully aware that Alaska will require help, both in the form of financial assistance and facilities and equipment, if the State is to assume responsibility for local government functions now performed by the Federal Government in a prompt and orderly manner.

Some time necessarily will elapse before Alaska can either increase its revenues derived from existing sources or benefit fully from the

revenues to be derived from public lands and other resources to be made available to the State by the Statehood Act. Even if the State's financial resources were adequate, it would be wasteful and impractical for the Federal Government to continue direct operations while the State at the same time was attempting independently to staff and equip a duplicate organization capable of taking over the Federal functions.

The President has recommended, therefore, that—

the Federal Government should provide such financial assistance as is necessary to facilitate transfer to the State of such programs as highway construction and maintenance, airport operations, and public health services.

In accordance with the President's recommendation, section 40(a) of the bill would authorize the payment of transitional grants to the State of Alaska in an amount of \$10.5 million for the fiscal year ending June 30, 1960; the sum of \$6 million for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$2.5 million for each of the fiscal years ending June 30, 1963, and June 30, 1964.

The transitional grants would be unearmarked and available as a general supplement to the State's financial resources. In addition, to assist the State in establishing its court system, section 23(d) would transfer to the State any outstanding balances in the accounts of the clerks of the Territorial courts at such time as the Federal District Court for Alaska is established.

Section 41 would authorize the President to transfer Federal property and equipment to the State in any case where the State assumes responsibility for functions formerly performed by the Federal Government.

In the event of differences between the Federal Government and Alaska concerning property transfers, the President could, as provided by section 42, appoint a temporary three-member commission to hear and settle disputes. Officers or employees of the United States or the State of Alaska would not be eligible for appointment as members of the Claims Commission.

In arriving at the recommended amounts of transitional grants, thorough study and consideration were given to the following factors: (1) Costs of administering services and maintaining and operating facilities to be transferred by the Federal Government to the State of Alaska; (2) Federal funds which would have been spent for the foregoing services and facilities or otherwise would have been available to Alaska if it had remained a Territory; (3) Federal funds which could be obtained by the State under the provisions of grant-in-aid programs now applicable or to be made applicable to Alaska; (4) revenues which will be received by Alaska from Federal airports to be transferred to the State; and (5) Alaska's ability to finance the transferred functions without impairment of essential services.

The present costs of these services and facilities to the Federal Government are reflected by the following items which have been eliminated from the 1960 budget because of Alaska's changed status: "Capital improvements," Anchorage and Fairbanks airports; "Operation and maintenance," Alaska intermediate airports; mental health grant; general health grant; and grant for recreational facilities.

The amount of appropriations for the above activities, less the revenues of the Anchorage, Fairbanks, and Alaska intermediate air-

ports which are now paid into miscellaneous receipts, would have totaled \$6,261,000 in 1960. To this amount there must be added a sum of \$4 million in Federal funds which previously has been spent annually for highway maintenance in Alaska, but which will cease to be available for this purpose after 1960 when Alaska is brought under the Federal aid highway program on a comparable basis with other States.

It should be noted that the proposed amount of the transitional grant for 1960, \$10.5 million, is slightly in excess of the \$10,261,000 which would have been the net expenditures by the Federal Government for these programs if Alaska had remained a Territory.

The total of transitional grants, however, by no means reflects the full amount of Federal financial assistance which will be available to the new State. The transitional grants would be unearmarked so that the State would have the flexibility to utilize the funds as it deemed best in the light of its own needs and could, if it so desired, use the grants or an equivalent amount of money for matching purposes under Federal grant-in-aid programs.

I think I should explain here that the transitional grants could provide funds for matching in that they would go into the general treasury of Alaska and release an equivalent amount of State money. Alaska would not take the Federal funds directly and use them for matching.

Senator JACKSON. Do you have an overall balance sheet on this? In other words, your transitional grants run through 1964, do they not?

Mr. SEIDMAN. 1964.

Senator JACKSON. Do you have what that totals compared with what the Government will not have to spend?

Mr. SEIDMAN. Yes, we have that available. In fact, I have it right here.

Senator JACKSON. Maybe this might be a pertinent point at which to mention it unless you are going to cover it somewhere else in your statement. This goes to the cost of the bill.

Mr. SEIDMAN. Yes.

In 1960 Federal expenditures would have been \$10,261,000. The transitional grant is \$10,500,000.

Senator JACKSON. The grant is \$10,500,000, and we will avoid \$10,261,000?

Mr. SEIDMAN. That is right.

Senator JACKSON. That is 1960.

Mr. SEIDMAN. That is 1960.

In 1961 the Federal expenditures would have been \$5,761,000, and the grant is \$6 million.

In 1962 the Federal expenditures would have been \$5,461,000; the grant is \$6 million.

In 1963 the Federal expenditures would have been \$1,761,000; the grant is \$2,500,000.

And the same would apply to 1964.

Senator JACKSON. The same figures for 1964.

Mr. SEIDMAN. Mr. Schnoor points out that we have on the mental health grant—

What was that?

Mr. SCHNOOR. The actual amounts we have here represent a condensation of 4 years worth of grants into 2 years.

Senator JACKSON. What are you talking about now? The mental health grant?

Mr. SCHNOOR. Yes.

Senator JACKSON. That is being terminated.

Mr. SEIDMAN. The amount is being included here, and, since that would have been through 1967, we consolidated the full amount.

Senator JACKSON. Is that included in these figures?

Mr. SEIDMAN. Yes, it is. And the full amount of that is included.

Senator JACKSON. That last figure was what?

Mr. SEIDMAN. \$1,761,000.

Senator JACKSON. The total cost is not very much in the aggregate.

Mr. SEIDMAN. No.

I think it could well be said and defended that in the long run over the 5-year period this means economy for the Federal Government.

Senator JACKSON. I think the further point should be made that doing this will help to get Alaska on a sound basis so they can do a more effective job in the management of the State economy, get off at least to a good financial start.

Mr. SEIDMAN. I think, Senator Jackson, if we did not do this, the inevitable result would have been that the Federal Government would have had to continue direct operations, and I don't know how you ever could have phased out the Federal operation with the State picking up without some transitional program of this character.

Senator JACKSON. If you will submit for the record these totals, so that we have the plus and minus—

Do you have it added up there?

Mr. SEIDMAN. Yes.

Senator JACKSON. We will include this at this point in the record. (The information referred to follows:)

Determination of transitional grants

[Figures in thousands]

Factor	1960	1961	1962	1963	1964
Anchorage and Fairbanks Airport capital improvements.....	\$4, 500				
O. & M. costs (Anchorage and Fairbanks Airports).....	845	\$845	\$845	\$845 ¹	\$845
O. & M. costs (Intermediate airports).....	593	593	593	593	593
Road maintenance costs.....	4, 000	4, 000	4, 000		
Mental health grant.....	800	800	600	1 900	1 900
General health grant.....	638	638	638	638	638
Recreational program.....	100	100			
Subtotal.....	11, 476	6, 976	6, 676	2, 976	2, 976
Less airport revenues.....	-1, 215	-1, 215	-1, 215	-1, 215	-1, 215
Total.....	10, 261	5, 761	5, 461	1, 761	1, 761
Actual proposed grant.....	10, 500	6, 000	6, 000	2, 500	2, 500

¹ Represents a condensation of mental health grants authorized for 1963-67 which total \$1, 800, 000.

Mr. SEIDMAN. For example, the Federal Government has taken into account the desirability of extending the runways at both the Anchorage and Fairbanks Airports, which are to be transferred to the State under the provisions of section 35, to meet the needs of the jet age. In estimating the amount of the transitional grant for 1960, \$4.5 million

was included for capital improvements at the Anchorage and Fairbanks Airports with the expectation that some or all of this sum would be used for matching purposes under the Federal aid airport program. Thus the State could have a total construction program of \$12 million, more than enough to extend the runways at both Anchorage and Fairbanks by matching the \$4.5 million with \$7.5 million in Federal airport grants.

Alaskans have assured the Congress that Alaska would be willing and able to assume added costs of statehood that are now being borne by the Federal Government. We have every confidence that the new State will be able at the end of the 5-year transitional period to absorb these added costs without undue strain on the State's financial resources.

Our best estimates indicate that by the end of the transitional period the anticipated increase in State tax revenues, at present levels of taxation, together with anticipated revenues from Pribilof Island receipts, proceeds from public lands sold by the United States, mineral leases, and lands selected by the State pursuant to the provisions of the Statehood Act, should more than suffice to meet the costs of essential States services, including those assumed from the Federal Government.

Adequate safeguards are provided by the bill to assure that there will be no interruption or impairment of services now provided by the Federal Government during the transitional period. Under subsections (b) and (c) of section 40, Alaska could choose between receiving the entire transitional grant and administering the transferred programs directly or by contract with a Federal agency, or requesting that a portion be allocated by the President to finance continued Federal operations for an interim period.

As a consequence of Alaska's changed status it has been found necessary to make certain amendments relating to the Federal judiciary. Section 23(a) would require the Court of Appeals for the Ninth Circuit to hold sessions in Anchorage annually, as well as in San Francisco, Los Angeles, Portland, and Seattle. Section 23(b) would add Ketchikan to the other Alaskan cities in which the U.S. District Court for the District of Alaska shall hold sessions. Section 23(c) would preserve the Attorney General's authority to take into account higher costs in Alaska in fixing witness' and marshals' fees.

S. 1541 would extend the applicability of certain Federal laws to Alaska. These include the Sugar Act, a portion of the Investment Company Act of 1940 not hitherto applicable to certain Alaska companies, the Federal Youth Corrections Act, certain provisions relating to parole, the act of June 8, 1940, for protection of bald eagles, a statute relating to the transportation of bodies of veterans who have died in Veterans' Administration facilities, and section 29 of the Federal Register Act relating to notice of hearings.

The bill would also amend the Statehood Act to clarify Federal jurisdiction over public domain lands; provide for the termination of certain Territorial laws administered by Federal agencies; clarify the applicability to Alaska of the statute regarding the importation of milk and cream and the nonapplicability of the Federal tax on transportation; and provide a definition to be applicable in the future of the term "continental United States."

Senator JACKSON. May I interrupt right at that point.

The transportation tax was removed, was it not, between a State and a Territory?

Mr. SEIDMAN. It was removed on the floor of the Senate by an amendment applicable both to Hawaii and Alaska, and at that time Senator Morse put a statement into the record in which it is clear that this exemption should remain even though Hawaii and Alaska came in as States. In view of the clear legislative history here, there is no change proposed.

Senator JACKSON. But why? One Senator cannot make the intent of Congress. I do not follow the reasoning.

I am just trying to be fair, but I do not like the reasoning. If that were the case we would have a mumble-jumble of legislative history.

Mrs. VAN CLEVE. Perhaps we should point out that the exemption is not total. It is regarded as a partial exemption. I do not think any of us can explain precisely how it applies. The Internal Revenue Code on this point is completely incomprehensible.

Mr. SCHNOOR. In general it applies to that portion of the trip between the other States and the State of Alaska, but not for any part of the trip within either Alaska or the other States.

Senator JACKSON. What you are saying is, if you are going to New York, to Seattle, to Alaska or Hawaii you pay on it from New York to Seattle, but from Seattle, after you leave the State, on that part when you are out of the State and en route, the transportation tax does not apply.

Mr. SCHNOOR. That is right. But there are a number of exceptions to that, too, in case you stop off in Canada or in the 225-miles zone outside the United States. It is a very complicated procedure.

Mr. SEIDMAN. I might refer directly to Senator Morse's memorandum because I think it is more indicative of the legislative intent since he introduced the amendment which was adopted in the Senate and which became part of the bill.

Senator JACKSON. Oh, this was his amendment?

Mr. SEIDMAN. That is correct.

Senator JACKSON. That is a different matter. I apologize.

Mr. SEIDMAN. I think in our section-by-section analysis the page reference to the Congressional Record is incorrect. It is the March 29, 1956, Congressional Record, page 5831.

Senator JACKSON. But it was his amendment that was offered?

Mr. SEIDMAN. That is correct.

Senator JACKSON. That is a different thing.

Mr. SEIDMAN (reading) :

The fact that the Territories may some day become States is no argument against partial exemption. Becoming States will not change their geographical location and the transportation tax handicap resulting therefrom. The effect of the exemptions would simply be that for transportation tax purposes both Territories would be moved in space so that their boundaries became contiguous with the United States.

Senator Morse also pointed out in his memorandum a problem of tax evasion as a result of the application of the transportation taxes to travel to both Alaska and Hawaii. He said :

The partial exemption for travel to the Territories is needed to correct a tax evasion practice which the present law encourages. For example, if a

passenger travels from Seattle to Honolulu he must pay the tax on the entire trip. If, however, he crosses the border into Canada and buys his ticket in Vancouver for travel from Vancouver to Honolulu the entire trip is tax free. This evasion practice diverts traffic from American territories to foreign territories.

Senator JACKSON. Of course, that is still true.

Mr. SEIDMAN. Except that there is no tax. If they buy their ticket in Seattle for Alaska, there is no transportation tax.

Senator JACKSON. But I mean you can go up to Vancouver from Seattle and buy a ticket from Vancouver to New York without paying any tax. So actually this problem still exists. Do you see what I mean?

At your point of origin you can buy a United Airlines ticket in Vancouver and fly from Vancouver to Washington and stay out.

Mr. SEIDMAN. Maybe it is something we all ought to know about. It was the view of the Treasury Department that, in view of this clear expression in the Senate, on the floor, on this subject, no change should be proposed.

Senator JACKSON. Do we have any precedents for this?

Mr. SEIDMAN. I certainly do not think so. I do not think we have had precedents for States like Alaska or Hawaii either.

Senator GRUENING. There may be a few precedents. We made a very marked precedent when we admitted the first noncontiguous area as a State.

Mr. SEIDMAN. Mr. Chairman, at this time I would also like to propose an amendment to S. 1541.

Congressman Rivers called our attention to a problem which has arisen under the application of the Defense Base Act and the War Hazards Insurance Act.

Senator JACKSON. Where does this occur in the bill?

Mr. SEIDMAN. It is an amendment to our own bill.

Senator JACKSON. But the bill we have before us, your bill.

Mr. SEIDMAN. We do not have any sections numbered. This would be an amendment.

Senator JACKSON. At the end?

Mr. SEIDMAN. Yes; at the appropriate place.

Senator JACKSON. Do you want to explain it now?

Mr. SEIDMAN. I thought I would, just briefly.

(The amendments referred to follow:)

AMENDMENTS PROPOSED BY THE BUREAU OF THE BUDGET FOR INCLUSION IN THE ALASKA OMNIBUS ACT

DEFENSE BASE ACT

SEC. --. (a) Paragraphs (2) and (3) of section 1(a) of the Defense Base Act, as amended (55 Stat. 622; 42 U.S.C. 1651 et seq.), are amended by striking out "Alaska;" in the parenthetical phrase in each paragraph.

(b) Paragraph (6) of section 1(a) of that Act is amended by striking out "or in Alaska or the Canal Zone".

(c) Section 1(b) of the Act is amended by striking the period at the end of paragraph (3), inserting in lieu thereof a semicolon, and adding the following paragraph:

"(4) The term 'continental United States' means the States and the District of Columbia."

WAR HAZARDS COMPENSATION ACT

SEC. —. (a) Paragraphs (2), (3), and (5) of section 101(a) of the War Hazards Compensation Act, as amended (56 Stat. 1028; 42 U.S.C. 1701 et seq.), are amended by striking out "or in Alaska or the Canal Zone".

(b) Section 104 of that Act is amended by adding the following new subsection at the end thereof:

"(c) The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State."

(c) Section 201 of that Act is amended by adding the following new subsection at the end thereof:

"(f) The term 'continental United States' means the States and the District of Columbia."

EFFECTIVE DATES

Add at the end of the above-entitled section (section 43) of the Alaska Omnibus Act the following new subsection (g):

"(g) The amendments in section — and — shall take effect when enacted: *Provided, however,* That with respect to injuries or deaths occurring on or after January 3, 1959, and prior to the effective date of these amendments, claims filed by employees engaged in the State of Alaska in any of the employments covered by the Defense Base Act (and their dependents) may be adjudicated under the Workmen's Compensation Act of Alaska instead of the Defense Base Act."

Mr. SEIDMAN. I would say incidentally that the bill is arranged in terms of the United States Code sections, so it would appear in the sequence of the sections of the United States Code at the appropriate place in the bill.

The Defense Base Act provides workmen's compensation protection to employees of private employers working outside the continental United States in defense base areas and to employees of Federal contractors employed outside the continental United States upon public works in the Territories and Alaska and foreign countries. The War Hazards Act provides benefits related to war hazards, to be paid by the Federal Government, primarily for employees covered by the Defense Base Act.

The purpose of the amendment is to place Alaska on the same basis as any other State so these employees will come under the Alaskan laws.

Senator JACKSON. This will be true of Hawaii as well?

Mr. SEIDMAN. We will have a similar amendment with reference to Hawaii.

Sections 7, 8, 9, 11, 15, 16, 20, 25, 26, 27, 30, 33, 36, 37 and 39 of the bill are essentially technical and perfecting in nature and either eliminate inappropriate references to Alaska or make other language changes which are considered appropriate because of Alaska's changed status.

The President on July 18, 1958, directed that the Bureau of the Budget, with the cooperation of the interested departments and agencies, undertake a careful study of the effects of Alaska statehood and develop a systematic and coordinated program for effecting the transition. The proposals reflected in S. 1541 represent the results of intensive study and analysis by the executive branch agencies concerned and discussions with representatives of the State of Alaska. We believe sincerely that the program which we have presented is sound and workable and will facilitate greatly Alaska's transition to full statehood.

The Bureau of the Budget urges early and favorable consideration of S. 1541 since its enactment is required to assure continuity of essential public services in Alaska and to provide for the orderly transition of Alaska from Territorial status to statehood.

Mr. Chairman, I would also at this time like to comment briefly on certain proposals which were made by Hugh Wade, the secretary of state for Alaska, before the House Committee on Interior and Insular Affairs.

Senator GRUENING. Mr. Wade is now in the room, and I assume he will testify.

Mr. SEIDMAN. Yes, he will testify. We did not know of these proposals at the time we were developing the bill, and they were not presented to the Bureau of the Budget for consideration. This is only by way of explanation as to why nothing was included in our prepared statement; it is not meant by way of criticism. We are thoroughly aware of the difficult problems that were faced in Alaska, especially due to the critical illness of Governor Egan.

Mr. Wade raised a question of the timing of the transfer of highway facilities and functions to the State of Alaska as provided in section 21(a); it was indicated there was no date specified there and this could be as late as 1964.

It is our desire that this change be made as quickly as possible, but we did not include the date. We felt that this should be a matter of negotiation with the State of Alaska. We certainly would have no objection to an amendment which would say that the transfer should be accomplished no later than June 30, 1960, or such earlier date as may be agreed upon by the State of Alaska and the Secretary of Commerce. I think we share the desire that the transfer be accomplished as early as possible?

Senator JACKSON. You feel you can do it within that time?

Mr. SEIDMAN. Yes, we do because under the provisions of the bill—and this relates to Mr. Wade's second point on administration—we would contemplate that the title to the property and responsibility for the functions could be transferred shortly and then Alaska could, in turn, contract, as provided in the bill, with the Bureau of Public Roads as its agent for an interim period to continue the operations, so this could be accomplished very speedily, and then within this framework you could phase out gradually from Federal to State operations different parts of the program or according to any plan that might be developed.

Senator JACKSON. And I assume the State legislature has passed the necessary legislation to carry that out.

Senator GRUENING. Yes.

Mr. SEIDMAN. So I understand.

Senator JACKSON. We will hear about that later.

Mr. SEIDMAN. The third point raises more serious problems in our mind. In fact, what Secretary of State Wade has suggested is a modification in the provisions of the Federal-Aid Highway Act which would, in effect, write off one-third of the land area of Alaska for the purpose of apportionment, and continue the authority of Alaska to match funds on the present basis of 9 percent State to 91 percent Federal, and continue the authorization for Alaska to use up to 25 percent of Federal-aid highway funds for maintenance.

Included in our bill there is \$12 million in the transitional grants to assist Alaska in meeting highway maintenance costs during the transitional period as well as certain carryover highway-aid funds that would be available for this purpose.

Of course, if the suggestion of Secretary of State Wade was accepted, the \$12 million would have to be deducted from the amount of the transitional grants.

Senator JACKSON. What would be the difference in costs?

Mr. SEIDMAN. The costs, I think, of highway maintenance in Alaska would become a permanent Federal cost. We would view this with certain concern, and we would not consider this to be consistent at all with the philosophy or purpose of the Federal-Aid Highway Act.

Senator JACKSON. What is the position of the Bureau of Public Roads on this?

Mr. SEIDMAN. They concur. They would oppose this as we would. We feel that Alaska should be treated as any other State, and, of course, under the way the Federal-Aid Highway Act operates Alaska will receive the most favored treatment of any State. Its matching will be approximately 13.5 percent while the nearest other State—under the public land formula—would be Nevada, with the next greatest proportion of public land, which matches 16.8 percent; Utah, 25.6 percent; non-public-land State match 50 percent.

So Alaska, because of the large area of public domain, will receive favored treatment. But we would strongly oppose any provision which would, after the 5-year transitional period, have the Federal Government underwriting the cost of highway maintenance in a single State. Other States have asked for this—I think Montana did—and this proposal was rejected, and it seems to us entirely inconsistent with the Federal-Aid Highway Act.

I think the other proposal that Mr. Wade offered was that this section should be eliminated in the bill and considered apart. Of course, that was done in the statehood act, you remember, so that the highway program could be considered more thoroughly than it had been, we have studied the matter, and I do not think we would reach any different position than we have today by any further delay.

I think the only effect of the elimination of the highway provision of this bill would be to continue the special provision indefinitely, and to us this would have very serious consequences for Alaska because the amount of funds which would be available then for construction would be totally inadequate for the needs of the growing State.

Under our proposal the amount of Federal funds available for highway construction will increase from \$13 million to approximately \$37 million. I have heard Senator Gruening in the past speak many times on this subject.

Senator GRUENING. At this point, Mr. Chairman, I would like to ask Mr. Seidman one question.

While it is true that the proposal of Governor Wade would constitute a departure, is there any similar case of a State having been so discriminated against in the matter of Federal highway funds as Alaska? There is no State which is now in the same situation.

Mr. SEIDMAN. This is entirely true. Alaska was not brought under the Federal-aid highway program until 1956.

Senator GRUENING. And then on a sharply reduced basis?

Mr. SEIDMAN. That is correct.

I think what concerned me is that Mr. Wade's proposal would have the effect of perpetuating the present situation.

Of course, I do not think that the Federal Government should underwrite highway maintenance because these certainly are characteristically regarded as appropriate costs to be borne by the State.

It would also concern us that, if the Federal Government paid both the cost of maintenance and the construction, there would be no restraint on States whatsoever in assessing what their needs were.

Senator JACKSON. This is going back 10 years, but, if my memory serves me right, when I was on the House Interior Appropriations Subcommittee the annual appropriation was running around \$18 or \$20 million for highways in Alaska.

Mr. SEIDMAN. Yes; the Alaska Road Commission.

Senator JACKSON. But did the Territory match any part of that?

Mr. SEIDMAN. No.

Senator GRUENING. There was a period of 5 years, Mr. Chairman, during the latter days of the Truman administration when the Federal Government was more generous than it ever had been before or has ever been since, largely for military reasons, and during those 5 years I believe the appropriations did average pretty close to \$25 million. But those were highways demanded for defense purposes. They were as much in the national interest as they were in the Alaskan interest. As soon as that period expired and the new administration came in, our appropriations slumped way down to their former negligible levels.

During the years it may be pointed out that Alaska has paid relatively more than its share, more than it would have had it been included under Federal-aid highway legislation.

Senator JACKSON. Is there not some way, Senator Gruening, to add up what the Federal Government made available by direct grant covering all the highway construction, what they could have received and what they would have received under a State grant-in-aid program, and then provide for the difference in the form of a grant to the States and avoid this maintenance problem?

Do you see what I am getting at?

Mr. SEIDMAN. I think I should point out that through the transitional provisions, and the way it operates, we have taken care of a very substantial construction program for the next 5 years, in the neighborhood of \$90 million, plus meeting maintenance cost, without any additional expenditures by the State over present levels at all.

What Mr. Wade is concerned about is who is going to pay the maintenance on those highways once they are built.

Senator JACKSON. It is a tough problem in Alaska. When you take States like Montana and North Dakota, where they have terrific winters with which to deal, it is a similar problem.

But again, if logic has any place in these things, why would not the sensible thing be to figure out what Alaska would have received during the past years had they come under the State grant-in-aid program and the Highway Act, get those figures and then what Alaska received in the way of direct grants during that same period, and whatever the deficit is? I think you have a valid argument to come in and ask for a grant as such. At least you could consider it, but avoid this business of getting into a separate and specific exemption on maintenance.

I realize maintenance is a rough factor, especially in Alaska. You get these roads and the problem of keeping them open is a terrific one. I think that it may well be that in certain areas the Defense Department should have properly given some consideration to some aid. I think it would be entirely proper where we have such vital and important installations. I would rather see it handled that way than as just a blanket exemption for maintenance and to get a grant just for maintenance.

But where the Federal Government, Department of Defense, certifies that they have a specific requirement here in connection with operational readiness of vital defense facilities, and where the traffic is of such a substantial defense nature, I think the Federal Government has a positive responsibility on that basis, but not on the basis of a grant for general maintenance.

Mr. SEIDMAN. Special treatment. It would be an exemption just for Alaska, and we would regard this—

Senator JACKSON. No. Again I get back to the point that I think this is the wrong way to achieve the same thing.

Senator GRUENING. I fully agree with the chairman, that the language is important, but it should be pointed out that historically there is also another great difference between Alaska and the other States, in addition to the fact that we have been totally discriminated against until 1956, and then admitted on a very limited basis, and that is that the Federal-aid highway legislations pretty generally did not build new highways. It improved existing roads, which were the old type of wagon road, so that what appeared to be new construction was really in the nature of improvement.

But in Alaska we did not have any highways at all at the time. As it is now, the majority of our Alaska cities are unconnected with any other highway. It is a situation difficult to imagine in the 48 States.

If we had a similar situation in the States comparable to Alaska, we would have one railway running, say from New York to Chicago, and we would have a highway paralleling it, and the capital would have a couple of short stubs of road, one perhaps going down maybe to Manassas, Va., and one up to Silver Spring, Md., and for the rest, we would depend on air transportation.

Obviously a State is not going to progress on that basis, and so we do have a fundamentally different situation which can justly be ascribed to long Federal neglect and discrimination. No other area was totally excluded from Federal aid highway construction. Even Puerto Rico, which pays no Federal taxes whatsoever and has all kinds of special beneficial fiscal provisions, has been included. That is something that should be borne in mind as we approach this problem.

I agree with the chairman that we should do it in such a way that it does not arouse the kind of opposition which we cannot overcome.

Mr. SEIDMAN. I would want to emphasize again, under the existing formula of the Federal Aid Highway Act which takes into account public domain and the special problems that it creates, Alaska will have far more favorable treatment than any other State. This is what concerns me because you will only match 13½ percent while, for example, other non-public land States are required to match 50 percent, and Utah is required to match 25.6 percent.

Senator JACKSON. But it is based on a logical core. I do not object to that. There is a reason for that. The reason is that where there is a large public domain it is obvious that the State cannot raise as much revenue. So this is based on a logical premise. As long as we stick to that kind of rule we do not have any problem, but once we get over on a tangent here and just arbitrarily come in and ask for exemption not based on a reason, we are in trouble.

Mr. SEIDMAN. I thoroughly agree.

Senator JACKSON. I think this is the thing we want to avoid.

I personally feel that in some of these routes of which the Federal Government and the military are making almost exclusive use we have a maintenance problem. If we would stick to that I think we can achieve most of what you had in mind.

Does that conclude your statement?

Mr. SEIDMAN. That does.

Senator JACKSON. And you will be here?

Mr. SEIDMAN. I will remain here, Mr. Chairman.

Senator JACKSON. We will come back to you.

Senator MOSS. May I ask a question?

Why would the court of appeals be required to hold a session in Anchorage annually?

Mr. SEIDMAN. If they did not hold a session in Anchorage, anybody who wanted to appeal to that court would have to go to either San Francisco or Seattle, and our concern is that if this was the case people would almost be denied the right of appeal because the cost would be excessive in carrying on litigation there.

Senator JACKSON. They are required now to hear appeals in other States?

Mr. SEIDMAN. That is right. Not in Nevada.

Senator MOSS. Not in Utah either. The court of appeals, as far as I know, has only sat once in Utah in 40 years.

Mr. SEIDMAN. I think the distance from Nevada and Utah to San Francisco is somewhat shorter.

Senator MOSS. I agree there is a difference, but sometimes there is no requirement in other circuits, and since the people in Montana have to travel a thousand miles, for instance, to carry a case to a circuit, why are we making it mandatory in Anchorage?

I would think permissive legislation would be much better, and let the circuit itself determine when it would sit.

Mr. SEIDMAN. I know the chief judge has expressed some reservations about this particular provision of the bill, and the information we had from the administrative office of the court is that the volume of litigation coming from Alaska was such as to justify an annual session of the U.S. Court of Appeals in Anchorage.

Senator JACKSON. Have you taken this up with the judicial conference?

Mr. SEIDMAN. The judicial conference only meets periodically.

Senator JACKSON. But do they not have an executive committee?

Mr. SEIDMAN. We took it up with the administrative office of the court, and they indicated only, of course, informal views because they could not obtain the views of the judicial conference in time for the consideration of the bill.

Senator JACKSON. I think Senator Moss has a point. We may want to handle it in a little different way than mandatorily, but to express the intent of the committee that the court should be accessible to the litigants.

Mr. SEIDMAN. As I understand it from the administrative office of the court, if there is no litigation they do not have to go and hold a session. This is discretionary.

Senator Moss. It sounds mandatory. "Would require the court to sit annually in Anchorage."

Senator JACKSON. I think we could put in a provision which the court could understand. The idea, of course, is to make it possible for litigants to have their case heard on appeal and not be required to travel unreasonable distances. For example, I do not think it would be unreasonable, if you had litigation out of Ketchikan, to come to Seattle if the court is meeting in Seattle on other matters.

Maybe we can clarify that and cover the point that Senator Moss very properly made.

Thank you very much, and we will call on you later, Mr. Seidman. We appreciate your help.

Before calling the next witness, Congressman Rivers is here. I neglected to call on him earlier, but Mr. Seidman was in the course of his testimony when he arrived.

I assume you have been tied up with the transportation bill, too, over in the House?

Mr. RIVERS. We convened at 10 o'clock this morning, and I understand there is a quorum call right now and I should be back there.

Senator JACKSON. I take it you are in favor of the bill?

Mr. RIVERS. Yes, I am, with moderate, minor modifications.

Senator JACKSON. Would you like to submit a statement?

Mr. RIVERS. Would it be all right if I submitted one for the record?

Senator JACKSON. We will keep the record open and you may submit it for the record.

Mr. RIVERS. I will do so within 24 hours.

(Mr. Rivers subsequently submitted the following statement:)

STATEMENT OF RALPH J. RIVERS, ALASKA'S U.S. REPRESENTATIVE AT LARGE, IN
SUPPORT OF S. 1541

Mr. Chairman and members of the committee. I certainly appreciate this opportunity to submit a statement in regard to this important legislation.

As explained by Mr. Harold Seidman of the Bureau of the Budget, the purpose of this bill, referred to as the "Alaska omnibus bill" is to authorize the Federal Government to transfer to the State of Alaska certain governmental services and functions usually administered by the States, but heretofore handled by the Federal Government in Alaska because of its status as a Territory.

To cushion the impact upon the new State the bill would authorize transitional grants totaling \$27½ million over a period of 5 years, but otherwise put Alaska on an equal footing in nearly all respects with the other States.

Programs and functions to be transferred would include civil airports, highway construction and maintenance with full participation under the Federal Aid Highway Act, provisions to put Alaska on an equal footing as to Federal assistance for national defense education, vocational education, school construction and operation in federally affected areas, vocational rehabilitation, water pollution control, hospital and medical facilities construction, old age assistance and other social security programs.

The matters of transferring the judiciary in Alaska and fish and wildlife management are covered in the statehood bill.

With regard to fish and wildlife management, I wish to point out a problem which will be considered by the House Subcommittee on Interior and Insular Affairs when it meets next Monday to mark up H.R. 6091, identical with S. 1541.

Section 6(e) of the act of July 7, 1958 (72 Stat. 339), which admits Alaska as a State of the Union, contains a proviso to the effect that the Federal Government is to continue administration of the fish and wildlife resources of Alaska "until the first day of the first calendar year following the expiration of 90 legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest." [Italic mine.]

It now develops that there is a wide diversity of opinion as to the meaning of the term "legislative days." This causes a serious situation because of the following facts: Secretary Seaton submitted the pertinent certification to the Congress on April 28. Previously the House Appropriations Committee had cut the President's budget request in half on the basis that the State would take over on January 1, 1960, instead of January 1, 1961, as contemplated in the budget request. This means that the State must take over the management and expense of managing the fish and wildlife resources on January 1, 1960, which could cause a legal anomaly. If the Congress should adjourn by August 15, 1959, there would be at the most 109 calendar days from April 28, the date of the certification. It is easy to see that if Saturdays and Sundays and holidays are not counted as would be the case under some of the definitions of "legislative days," the adjournment will have occurred before the 90 legislative days have gone by. It would not be until the first week in January that the running of the 90 legislative day period would be resumed. Thereafter in a month or so the required period would have expired. Thus the first day of January of the first year after the expiration of the stated 90-day period would be January 1, 1961. Thus during the calendar year 1960 there would be no money available by appropriation for use by the Department of the Interior in continuing to manage the fish and wildlife program in Alaska even though the transfer could not legally be made until January 1, 1961. This would lead to chaos, so to speak.

On the other hand, if the term "90 legislative days" means calendar days during a period when the Congress is in session the whole matter will be solved. To support this position the following is quoted from a letter submitted by the American Law Division of the Legislative Reference Service, Library of Congress, under date of May 4, 1959:

"The context (referring to sec. 6(e) of the act of July 7, 1958) indicates merely an intent to fix a date for the relinquishment of control by the United States.

"In the circumstances, it appears to us that the intent of the Congress, as gathered from the scanty discussion in the Record, could reasonably be met by giving the word 'legislative' the ordinary dictionary definition (Webster's International) 'of or pertaining to the body which makes the laws', without going further. On this basis, the expression 'legislative days' could, within the accepted rules of statutory construction, mean 90 days while the Congress is in session."

Thus on the basis of statutory construction as well as commonsense, and to avert the serious situation mentioned, an amendment to the Alaska Statehood Act (Public Law 85-508) would be very much in order. The amendment would consist of deleting the word "legislative" in front of the word "days" in section 6(e) of said act and substituting the word "calendar." Since section 2 on page 1 of this omnibus bill (S. 1541) opens up the question of Federal jurisdiction and embodies what would be an amendment to the Statehood Act, I very seriously suggest that said section 2 be used in further amending Public Law 85-508 by adding to said section 2 a subsection so drafted as to accomplish the desired result.

In the initial conversation with Mr. Seidman and in subsequent conversations with him and with FAA authorities, it was made amply clear that the Federal Government is determined to get out of the civil airport business in Alaska. Although the water and sewer systems for both the Anchorage and Fairbanks International Airports were never completed, the Congress has refused over a period of about 9 years to appropriate money for that purpose (except about \$225,000 last year, which still leaves these sewer and water systems incomplete), or for any other capital improvements or enlargements. I came to the

conclusion that the only way Alaska will attain a position to promptly extend the runways at these two principal airports to meet the needs of the jet age would be through the grants authorized in this omnibus bill. I have had the reservation in mind, however, that these grants, which contemplate money for extension of runways, do not embody any amount (after meeting all of the other contemplated needs including operation of 17 intermediate airports which are money losers) for expansion of air terminal and passenger facilities at the Anchorage and Fairbanks International Airports, which facilities must be expanded to take care of the great increase in domestic and international traffic anticipated during the next 3 to 4 years at an expenditure of several million dollars. This time element coincides with the fact that the schedule for transition grants set forth in section 40(a) of the omnibus bill calls for final installments of only \$2,500,000 for each of the fiscal years ending June 30, 1963, and 1964. In view of the fact that the Federal Government is getting out of the civil airport business, and because the transfer also includes money-losing intermediate airports in Alaska, and because I know that it is the intent of the Federal Government to give the new State every reasonable chance to succeed during the trying years ahead, I am firmly convinced that the last two installments I have mentioned should be \$3,500,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964, instead of \$2,500,000 for each of those 2 years. This extra \$2 million at a time when construction will no doubt be more costly than it is now, would partially solve the need of which I speak and the State will have to raise such remaining amount as may be needed.

Other reservations which I entertain in regard to this bill involve minor amendments which I have already discussed with Mr. Seidman and my Senate colleagues from Alaska, and which appear to be advisable and mutually agreeable.

By way of summary, I wish to commend Mr. Seidman and others who have worked with him in drafting this bill, for the conscientious and able job which has been performed, and to say that I subscribe to the fundamental philosophy that Alaska, as a State, is ready to exercise its full rights on an equal footing with the other States, and to assume its full responsibilities, subject only to the orderly transition which the Federal Government recognizes as essential, including the transition grants which I have discussed.

In closing, I point out that time is of the essence because the President has budgeted nothing for the programs above mentioned for fiscal 1960, except in connection with this omnibus bill. Therefore, it is essential that passage of this bill plus ensuing action by the Appropriations Committee and his Congress be completed prior to July 1, 1959, including the financial adjustment I have requested for implementing expansion of airplane terminal facilities.

Thank you, Mr. Chairman, and members of this committee, for your attention and consideration in regard to this matter which is vitally important to my State of Alaska.

Senator JACKSON. We are very happy to have Mr. Allen, the Under Secretary of Commerce for Transportation, here this morning. Many of us had the privilege of serving with him in the House.

STATEMENT OF HON. JOHN J. ALLEN, JR., UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION; ACCOMPANIED BY FRANK C. TURNER, DEPUTY COMMISSIONER AND CHIEF ENGINEER OF THE BUREAU OF PUBLIC ROADS

Mr. ALLEN. Thank you, Mr. Chairman. I have with me this morning Mr. Frank C. Turner, Deputy Commissioner and Chief Engineer of the Bureau of Public Roads, to assist in answers that I might not have at my tongue's tip, and for other information that we will supply.

Mr. Chairman and members of the committee, I am pleased to appear before you for the purpose of discussing the portions of S. 1541 which relate to the activities of the Department of Commerce in the State of Alaska.

Since enactment of the Federal-Aid Highway Act of 1956, when the Department of Commerce acquired the functions and property of the former Alaska Road Commission from the Department of the Interior, the Bureau of Public Roads has performed highway functions in Alaska which are normally performed by the State highway department.

S. 1541 is designed to permit the State of Alaska to assume these functions in an orderly manner, and to accomplish the transition without interruption of or interference with the road program. The Department believes that S. 1541 is necessary and desirable legislation, and strongly urges its enactment.

Section 21 of the bill, relating to highways, would provide for assumption by the State of Alaska of the same functions now performed by all other States in connection with the construction and maintenance of roads. It would direct the Secretary of Commerce to transfer to the State of Alaska by appropriate conveyance, and without compensation, the majority of the real and personal property now held by the Bureau of Public Roads in connection with its current responsibilities in Alaska.

Property which would not be so transferred to the State would include that property, real or personal, which the Bureau of Public Roads will require in continuing to perform in Alaska, as elsewhere in other States, its usual Federal functions and responsibilities, such as those in connection with the forest highway program, road work in national parks and monuments, and the administration of the Federal-aid program itself.

Also excepted from the required transfer would be those lands and interests in lands which the Secretary of Commerce or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

The Bureau of Public Roads would complete any existing contracts it has previously entered into in connection with its activities in Alaska. This provision will aid an orderly continuation of highway operations.

The bill would repeal or amend those portions of existing law which provide for Federal aid for highways in Alaska under conditions varying from those applicable to other States. These provisions first appeared in the Federal-Aid Highway Act of 1956. They permit a matching ratio of approximately 91 percent Federal—9 percent State on all projects, and the use of Federal-aid funds for maintenance of highways and Federal-aid participation in ferry construction and operation.

The State of Alaska would be made responsible under the bill for the maintenance of the roads which would be transferred to it. This will be in line with road functions performed by all other States.

Federal-aid funds apportioned to Alaska under existing law for fiscal year 1960 and prior fiscal years, which are unobligated on the date of enactment of the bill, may continue to be used under its terms for maintenance of highways on the Federal-aid systems in Alaska.

Section 40 of the bill, providing for transitional grants, is also of importance to the functions of the Bureau of Public Roads. Under subsection (a) of that section, transitional grants could be made by

the President to the State of Alaska in order to assist the State in accomplishing the transition from territorial status to statehood.

This provision, in addition to that permitting the State to use certain Federal-aid funds already apportioned to it for maintenance, will enable the essential highway activities, including maintenance, to be continued without interruption.

The Governor of Alaska could submit to the President under subsection (b) of section 40, a request that a Federal agency continue to provide services or facilities in Alaska for an interim period until such services or facilities are provided by the State, but this interim period could not extend beyond June 30, 1964.

The President could allocate the funds necessary to finance the provision of such services or facilities from the grants authorized under this section.

A Federal agency, such as the Bureau of Public Roads, could also perform services for Alaska in another way under subsection (c) of this section. After the transfer to the State of Alaska of any property or function of the Federal Government and until June 30, 1964, the head of the Federal agency having administrative jurisdiction over such property prior to its transfer could contract with the State of Alaska for the performance of some or all of the functions it has performed prior to such transfer. Alaska would be required to reimburse the agency for the services performed.

The Bureau of Public Roads, therefore, could operate under either subsection (b) or subsection (c) of section 40 of the bill in performing services for the State.

The Department of Commerce will carefully plan its operations in connection with the proposed transition so that there will be a minimum of disruption to the highway program in Alaska and to the functions which the Bureau of Public Roads will continue to perform in Alaska after the transition period.

For example, the forest highway program in Alaska will continue under the direct administration of the Bureau. The forest highway system in Alaska includes about 400 miles of roads on which approximately \$2.5 million is expended annually.

The Bureau of Public Roads also directly supervises the construction of major roads within Mount McKinley National Park. While about \$500,000 annually is now being programed for these roads, the long-range program of the National Park Service contemplates expenditure of somewhat larger sums in the near future.

We will, of course, prepare an inventory of all property, real and personal, now owned or administered by the Department in Alaska.

We also will prepare an appropriate form of conveyance covering all the properties which are to be transferred to the State. This document will be all inclusive and supported by such detailed listing, together with appropriate reference to maps and other exhibits as to fully cover all property to be transferred.

The Bureau of Public Roads is already working toward these objectives. The bill does not specify a date for the proposed transfer of highway functions to the new State of Alaska. We are aware that it is desirable that such transfer be made as expeditiously as possible, but this will be a matter for negotiation with the State.

It will be necessary to develop fiscal and other procedures necessary to administer operations under section 40 of the bill whereby the Bureau of Public Roads may perform services for the State, whether the Bureau performs those services directly or on a reimbursable basis under a contractual arrangement with Alaska.

With respect to contracts for construction, the Bureau could either—

(1) Award the contract and make payment thereunder from funds made available to it by Alaska, or

(2) Prepare the contract for award by Alaska with the Bureau supervising the work until completion. The latter arrangement would be similar to that now existing between the Bureau and the National Park Service relative to park roads and parkways.

Public Roads is now furnishing services from some of its equipment depots and other facilities to other Federal agencies. Arrangements should be made with Alaska to continue such services as may be desirable. Arrangement should also be made for the use by Alaska of sources of material on Federal lands which are now available to Public Roads for use in highway construction. We anticipate that other problems and details such as these may arise in the course of the transition period.

S. 1541 has been exhaustively reviewed and studied, and the Department believes it provides a good, workable method of transferring road activities to the State. You may be assured that we will cooperate in every possible way toward an orderly transition in the transfer of functions to the new State.

The Bureau of Public Roads will assist the State in assuming its new responsibilities with the objective that within the transition period provide for under S. 1541, Alaska's highway program in every respect will become comparable with those of other States.

Mr. Frank C. Turner, Deputy Commissioner and Chief Engineer of Public Roads, is here with me today. We will be very happy to answer any questions which you may have with respect to the provisions of the bill and their effect upon the Department of Commerce and upon the State of Alaska.

Senator JACKSON. Thank you, Mr. Allen.

In order to clarify the legislative history, I have a question I would like to ask.

Just what property interests would the Secretary of Commerce convey to Alaska in cases where a highway is located on land owned by some other Federal agency? I have in mind highways located on national forest lands under special use permit or license.

Mr. ALLEN. I will refer that to Mr. Turner. He has prepared material on that.

Mr. TURNER. We would transfer only that title which we might have ourselves, Mr. Chairman. If it were an easement, we would transfer an easement; if it were a fee title, that is what we would transfer.

Senator JACKSON. As I understand, in other States, fee simple titles to national forest roads are not in the State.

Mr. TURNER. That is correct.

Senator JACKSON. I do not mean to encumber the record here, but would you not merely convey the easement and retain title subject to an easement of the State to utilize the road? Is that not what you want to say?

Mr. TURNER. In the national forests we do not have the title ourselves. That belongs to the Forest Service. We have only an easement for construction and use purposes, and that would be the only thing that we, of course, would be able to transfer.

Senator JACKSON. What I am getting at is that in the national forest areas the Federal Government would still retain title to the land. What would be conveyed to the State is the right to use the road for road purposes.

Mr. TURNER. That is correct.

Senator JACKSON. If there were an abandonment, in other words, the right to go over that land would revert to the Federal Government? That is called an easement, is that right?

Mr. TURNER. That is correct, Mr. Chairman.

Senator JACKSON. Mr. Allen, I do not know whether you had an opportunity to hear discussion here earlier on two points. One Governor Gruening raised about Alaska's denial, as being a Territory, of grant-in-aid funds under the Highway Act over a period of years.

I wonder how the Department would feel if some consideration were given to the equities here by taking into account the amount they would have received under the program compared with what they did receive under special Federal acts.

Mr. ALLEN. I have no considered position on this question. My off-hand opinion would be that we would start at the provision that there should be no discrimination either for or against Alaska and generally that the treatment should be the same treatment as accorded to the other States of the Union.

Senator JACKSON. Would you have your staff supply us with information on two points: What Alaska has received from the Federal Government in the way of highway construction and maintenance in the past, prior to its becoming a State; and two, what it would have received had it been under the various Federal Highway Acts?

Mr. ALLEN. We can supply that for the record. Mr. Turner, do you have it here?

Mr. TURNER. I have it here.

Senator JACKSON. Would you give that to us now?

Mr. TURNER. Alaska has received \$274.7 million. Going back to 1917, had they been participating in the Federal aid highway apportionments on the same basis as other States, after making certain assumptions as to what the population would have been and things like that, we calculate that they would have received in the same period, of time, from 1917 to the present time, \$516.6 million of Federal aid type of funds plus \$59 million of forest highway funds and access road funds and public lands funds, for a gross total of \$575.6 million.

Senator GRUENING. Making Alaska short what?

Senator JACKSON. Making it short by \$300.4 million, if my mathematics are right.

Mr. TURNER. About \$300 million; yes, sir.

Senator JACKSON. Does that include maintenance?

Mr. TURNER. It does not include maintenance except in the sense that the figures that I gave you that Alaska has received from the Federal Government—

Senator JACKSON. No, but does the \$274 million include maintenance funds?

Mr. TURNER. Yes, to the extent that the authorizing legislation permitted the use of those funds for maintenance.

Senator JACKSON. All I want to make sure is that \$274 million now represents the total amount that Alaska has received for either road construction or road maintenance.

Mr. TURNER. For all purposes.

Senator GRUENING. Does that include the \$7 million that was arbitrarily lopped off in 1933 and divided among the other forest area States as forest funds and never returned to Alaska?

Mr. TURNER. I cannot answer that specific point, Governor.

Senator GRUENING. I would appreciate it if you would look that up, because this is not an economic measure. The money did not revert to the Treasury. It was distributed among the States that had forest areas.

Mr. TURNER. I know it does include some special forest highway apportionments that were made to Alaska.

Senator JACKSON. I wonder if you people could talk to the Department of Defense and get some information on the use of some of key roads, particularly as they tie in with the Anchorage-Fairbanks complex, what use they are making, what percentage of use, and indicating something of the maintenance costs in that area.

This is only for informational purposes, if that is possible. They do have a real serious maintenance problem up there, and the military are heavy users, I assume; not only as to traffic but because of heavy equipment.

Mr. TURNER. We have that information already available, Mr. Chairman. It is going to be continuing activities of the Bureau in Alaska, as it is in all the other States.

Senator JACKSON. There is no provision as far as the other States are concerned for maintenance funds where the Federal Government, through its military establishments, makes heavy use of certain roads, is there?

Mr. TURNER. No, except where they are what we call access roads built exclusively for military use.

Senator JACKSON. I understand. But, in general, those roads are quite limited as far as mileage is concerned.

Mr. TURNER. Quite limited, and they are special-purpose roads.

Senator JACKSON. That is right.

But, in a sense, the roads tying Anchorage and Fairbanks together and other points are military access roads. Do you see what I mean?

Mr. TURNER. They also, of course, are open for general civilian use.

Senator JACKSON. What I would like to get is the percentage of use of those roads by the Federal Government as compared with the civilian population, if we could get that data.

(At the time this document went to press the information had not been supplied.)

Senator GRUENING. Mr. Chairman, pursuant to the thought that you are now developing, showing the great disparity between what Alaska would have received had it been under Federal aid highway legislation and what it has received, I would like to call your attention and Secretary Allen's to the last sentence in the penultimate paragraph of his testimony:

The Bureau of Public Roads will assist the State in assuming its new responsibilities with the objective that within the transition period provided

for under S. 1541, Alaska's highway program in every respect will become comparable with those of other States.

That would be a very desirable objective, but it is clearly one that is quite impossible. You cannot possibly, within the transition period, have a system comparable to those of other States, because neither the time nor the money is available to complete a throughway system.

I merely wish to emphasize again that the basic consideration is the long period of discrimination, with the result that we do not have a highway system in Alaska comparable in any way to the other States, and it cannot be made comparable in the transition period.

That is an objective, and it is one which, of course, we should pursue, and I hope we will get the support of the Department of Commerce in making it start in that direction. Obviously, it cannot be done in a period of a few years with the money available.

We have some maps I would be glad to bring down at the next hearing which will show that Alaska has really one main highway, and as for the rest of the State we merely have short stubs of roads going out a negligible mileage from our principal towns. That is the situation which I think all will agree will have to be rectified if Alaska is ever to develop as a State.

We hope to enlist the support of the Department of Commerce and the other Federal agencies in that objective.

Mr. ALLEN. I appreciate your statement.

I had in mind, in making the statement that I did, more the matter of organization, the transition from one agency of Government to another, and the working arrangements between them, so that the program rather than the actual construction of roads would be in every respect comparable with other States.

From that point on I suppose we get into a different problem.

Senator JACKSON. I think it would be well if you could get together with the Bureau of the Budget and give some consideration to this problem which has been brought out here of the deficit which Alaska has incurred by not being a State and trying to work out an equitable solution.

I think there is a lot of merit in Governor Gruening's point, which the Secretary of State has made about their problem. I think we have to treat it separately from the question of maintenance as such, but again it is how you do it.

They do have a serious road problem and I think there is a lot of merit in the fact that the record discloses that Alaska is short \$300 million, and I would hope that some thought would be given to that.

If we cannot cover it in this bill, we certainly want to make it clear that we want to go into it at a later date.

Mr. TURNER. Mr. Chairman, I mentioned in giving those figures, that we had had to make certain assumptions in building up that total. One of the most important assumptions is that Alaska would have been able to match those funds in order to get them. Had they not matched them, they would have forfeited them.

Senator JACKSON. As long as we are dealing with the supposititious past, why do we not hypothecate a little more and take the national average on compliance? In other words, take the 48 States and average them out. I assume that most States over the years met the Federal matching funds.

Mr. TURNER. No State has ever lost any money. [Laughter.]

Senator JACKSON. Then we get around to what we might call an irrebuttable presumption. The presumption, which I think is entirely logical, is that if the other 48 States were able to do it, Alaska was able to do it.

Senator GRUENING. There is no question about it.

Senator JACKSON. So we have solved it, have we not?

Mr. TURNER. Using assumptions, yes. [Laughter.]

Senator GRUENING. May I ask a question?

In calculating this amount of loss, have you included interest? [Laughter.]

Senator JACKSON. I think there is a pretty good index to behavior here when the other 48 States are able to do it. I have an idea that the 49th State could do the same thing. I do not think that would be an unreasonable presumption.

Senator GRUENING. I highly applaud the Chairman's comment.

Senator JACKSON. Thank you very much, gentlemen. We appreciate your statement.

General Quesada.

General, just state your name for the record, and you may proceed.

STATEMENT OF E. R. QUESADA, ADMINISTRATOR OF THE FEDERAL AVIATION AGENCY; ACCOMPANIED BY ALAN L. DEAN, ASSISTANT ADMINISTRATOR, FEDERAL AVIATION AGENCY; ARVIN BASNIGHT, DEPUTY ASSISTANT ADMINISTRATOR; AND JOSEPH TIPPETS, ACTING DIRECTOR, BUREAU OF FACILITIES, FEDERAL AVIATION AGENCY

Mr. QUESADA. I am E. R. Quesada, the Administrator of the Federal Aviation Agency. I welcome this opportunity to present to this committee our views in support of S. 1541, the pending bill referred to as the Alaska Omnibus Act. I will limit my comments to matters concerned with airports and aviation.

Section 35 of the bill is the area of particular interest to us. Under authority of a 1948 act of Congress—48 U.S.C. 485—terminal airports have been constructed and operated at Anchorage and Fairbanks, Alaska, at a capital cost of some \$17 million to the Government.

The subject airport facilities at Anchorage consists of two runways, a terminal building and a hangar. This airport is handling approximately 200,000 passengers annually and serves about 125,000 aircraft arrivals and departures of which about 30,000 are air carriers, 60,000 are military and 35,000 are general purpose aircraft. These Anchorage facilities, with an allowance for depreciation, have a current capital value estimated at \$11,600,000.

The airport at Fairbanks has only one runway and a terminal building with associated utilities constructed by the Federal Government. At this location there are some 90,000 passengers served annually and approximately 55,000 aircraft arrivals and departures of which about 13,000 aircraft movements are air carrier aircraft, 7,500 military aircraft and 34,500 are general aviation type of aircraft.

Allowing for depreciation, the Fairbanks facility has a current capital value of about \$5.2 million. There two airports are now col-

lecting revenues of approximately \$1.1 million annually which are deposited in the general fund of the Treasury of the United States as miscellaneous receipts. These revenues compared with the 1959 fiscal year annual cost of operation of almost \$900,000, reveal a net balance of \$200,000 in income over expense.

The original justification for the Federal Government constructing and operating these terminal airports as indicated in the enabling legislation was twofold;

(a) To serve air commerce of the United States in the Territory of Alaska; and

(b) To serve as intermediate stops for international flights.

A further consideration was a requirement to move civil operations off military air bases in the interest of security and the additional safety provided through separating the civil operations from the specialized military activities.

In light of these requirements and the Territorial status of Alaska in 1948, there was no possibility of obtaining the airfields by means other than by having the Federal Government assume responsibility for their construction and operation.

Since they have been in operation there has been a number of changes in circumstances. These changes include a very substantial growth in the volume of activity and a significant increase in revenue to the point where currently the revenue from these airports exceeds the total operating cost.

For some time consideration has been given to the advisability of relieving the Federal Government of the responsibility for operating and improving these terminal airports, inasmuch as the Government does not provide similar services for other cities, except at the Nation's Capital.

The advent of statehood for Alaska eliminates any justification for continuation of this function by the Federal Government.

In estimating the amount for the transitional grant in 1960, \$4.5 million was included for capital improvements at Anchorage and Fairbanks with the expectation that some or all of this fund would be used for matching purposes under the Federal-aid airport program.

For approximately \$4.5 million the Anchorage airport could be expanded to serve the jet powered aircraft that the major air carriers are acquiring and the construction work can be phased on time sequence with the schedule for jet service to Anchorage.

Landing area improvements at Fairbanks to meet jet aircraft requirements would cost approximately \$3.8 million. The two fields also have need for such things as lighting, sidewalks, road, water and sewer improvements, and crash and rescue facilities that would aggregate \$1.5 million.

Our estimate for construction excludes terminal building expansion as the financing of this particular construction does not require the appropriation of Federal funds.

Thus, the two airports could be developed to meet jet aircraft requirements other than terminal building facilities at a total cost of some \$9,800,000. An amount in excess of the needed \$9.8 million could be derived by matching transitional grant funds with Federal-aid airport funds.

It is our view that the Federal Government therefore would be providing generously, in fact an amount of not less than \$27.9 million, for the airport needs of these areas by a number of actions: namely—

(1) Transferring at no cost, airport facilities valued at about \$17 million;

(2) Allocating to the State for use at their discretion in 1960 up to \$10.5 million as a transitional grant, of which about \$4.5 is based on airport capital improvements;

(3) Providing under the recommended extension of the Federal grant-in-aid program for airports, as proposed by the administration, the amount of \$6.4 million.

These funds for airport grants would be specifically allocated for projects in the State of Alaska on a basis which would finance up to 62.5 percent of the total cost of airport projects.

The Federal-aid airport grants could be further augmented if the projects proposed by the State have sufficiently high priority in terms of the national needs to warrant the Administrator of FAA's use of the discretionary funds provided by the Federal-aid airport bill.

The alternate to enactment of the omnibus bill is obviously continued operation by the FAA. Our 1960 fiscal year budget request pending before Congress makes no provision for operating or improving these airports. Continued operation would thus require supplementary appropriation action.

Continued operation of the airports during 1960 is assured by passage of the bill under either of several means. First, the State could accept title to the airports and assume operations itself. This would place at the State's disposal both the omnibus grant money and all airport revenues they collect.

Secondly, the State could accept title to the airports and contract with the FAA to continue operations pending the provisioning of such services by the State.

During this interim period the revenues would accrue to the State and could be utilized to reimburse the FAA. These revenues should meet all operating expense. The omnibus grant fund would be available to the State to launch the improvement program.

Finally, if the State does not accept title immediately, the airports could, on request by the Governor of Alaska, be operated by FAA with funds from the \$10.5 million transitional grant. This arrangement would require deposit of all revenues to the U.S. Treasury.

The net effect of this loss of revenue would be a reduction of the improvement funds by approximately \$100,000 monthly.

Further, there would be no possibility of utilizing transitional grant funds to match Federal-aid airport grants. Thus improvements necessary for jet operations could not be completed.

These several considerations lead us to believe that the interests of the State and all elements of aviation will be better served when these airports are under the ownership jurisdiction of the State. This does not mean that the State, in a short-time interval, will have to provide continued efficient management and operation of the facilities. We are interested in preventing any deterioration in service and, as stated before, stand ready to perform necessary services for the State on a reimbursable basis.

In recommending and working toward this concept so that the State's acceptance of responsibilities is equivalent to that of other States, I submit that the proposed plan is tangible evidence of our concept that Alaska possesses both the desire and capacity of assuming the responsibilities of statehood and the management of its own affairs, including the ownership of these airports.

Senator JACKSON. Thank you, General. I have just one question.

I noted on the first page you mentioned the number of military aircraft that arrived and took off, I assume, from Fairbanks. And over on the other page you mentioned about the construction funds provided by the Federal Government for these airports which would move the military operations away from the civil operations in order to avoid possible accidents.

But it appears that there is still a tremendous amount of military traffic, particularly at Fairbanks.

Mr. QUESADA. At Anchorage there is a National Guard unit, for one thing, and it is based on the field with its own hangar and it is not in any way affected by the provisions of the bill.

Senator JACKSON. What about at Fairbanks? That was where you mentioned the figures.

Mr. QUESADA. The military does use the field at Fairbanks historically to the amount suggested here.

Senator JACKSON. There are a lot of joint use arrangements throughout the country, of course?

Mr. QUESADA. Yes.

Senator JACKSON. Especially where we have interceptor stations.

Mr. QUESADA. That is right. You will notice the volume at Fairbanks is considerably less than at Anchorage, and the difference is accounted for in major part by the fact of the National Guard unit at Anchorage.

Senator GRUENING. General Quesada—

Mr. QUESADA. May I say that it is Mister, Senator. I resigned from the service, and I am actually Mr. Quesada.

Senator GRUENING. Well, once a general always a general. However, I will defer to your wishes in the matter, Mr. Quesada.

I appreciate your concluding statement that the—

plan is tangible evidence of our concept that Alaska possesses both the desire and capacity of assuming the responsibilities of statehood and the management of its own affairs * * *

I agree with that concept. But I wonder whether it has come to your attention that there have been, from certain individuals, newspapers and others, some protests against this program and the expression of the desire that Alaska not take over the management of these airports.

Mr. QUESADA. I have heard of this. I am aware of it.

Senator GRUENING. Have you had an opportunity to discuss this with any of the plaintiffs?

Mr. QUESADA. I have not had an opportunity to discuss it with the publisher of the newspaper who is in effect responsible. I have sought an opportunity, however. I have discussed it with your associates, your other Senator, and your Congressmen in considerable detail.

Senator GRUENING. What newspaper was that?

Mr. QUESADA. I think it was the newspaper in Fairbanks; was it not?

Mr. TIPPETS. The Anchorage Times—Mr. Atwood.

Senator GRUENING. You said he was opposed to the transfer to the Federal Government of our airports?

Mr. QUESADA. He was unable to meet with me. In his paper editorially he appears to oppose it.

Senator GRUENING. Have you had a chance to convince him?

Mr. QUESADA. I have never had a chance. I have tried to, but we could not get together.

Senator GRUENING. I wondered whether you had been able to persuade the press, this section of the press?

Mr. QUESADA. I have not been able to persuade them. I have indicated a willingness, if not a desire, to go up to Alaska, preferably in the spring when the salmon are running, to convince them by persuasion that it is proper and right and profitable and to the advantage of Alaska to assume this responsibility.

I will go up anytime.

Senator JACKSON. Of course, we will welcome testimony on the other side of this issue if such testimony is available or if there is a request. The Chair has not received any request.

Senator GRUENING. No. If there are any protests against this, we should certainly hear them. But I understand that some of the original opponents of this transfer have now been converted, and the Fairbanks Chamber of Commerce, which was originally opposed, has changed its view.

Mr. QUESADA. Senator, I am convinced that most of the people who were concerned now realize that these two airports would be a substantial asset to the State of Alaska. There is no question but that the development of these airports is going to bring to Alaska, and to Fairbanks and Anchorage in particular, tremendous advantages by the ease of making it convenient for air transportation to come into there from all sections of the country.

The whole Pacific-route case is being opened up; and I, as an aviator of 35 years, have to say to you very frankly I see revolutionary advantages coming to the State, and not evolutionary advantages. I see nonstop jet flights from New York to Fairbanks, the next stop being Tokyo. And I mean in the immediate future. I am almost certain that this is going to occur.

Senator GRUENING. I think that, with a few exceptions, people have been convinced of the desirability of this transfer, which in any event is right in principle. There is no reason why we should not assume our own responsibilities, as you point out, and show that when we have statehood we are able to take care of it.

Mr. QUESADA. I am sure you are right, Senator. I am positive of it. But in addition to the principle, I feel now that as you have suggested, there are many people who were concerned that now see the advantages that will accrue to the State, financial and otherwise, that would have offshoots by the development under their own auspices.

Senator JACKSON. I believe that is all.

Thank you very much. We appreciate your statement.

The committee will resume at 2 o'clock, and Mr. Wade will be the first witness. That might be easier. Then we can go back to Mr. Seidman to conclude.

(Whereupon, at 12:05 p.m., the Committee was recessed to reconvene at 2 p.m.)

AFTERNOON SESSION

Senator JACKSON. The committee will come to order.

The first witness this afternoon will be Mr. Hugh Wade, the secretary of state for Alaska and for the past several months until recently, the acting Governor.

Senator GRUENING. And I may say performing very admirably.

STATEMENT OF HUGH WADE, SECRETARY OF STATE FOR ALASKA

Mr. WADE. I am Hugh J. Wade, secretary of state of Alaska.

Senator JACKSON. I want to associate myself with what Senator Gruening just said. I think you have done an excellent job taking over at the outset. We are proud of the way you have handled matters. It is always a difficult period at the inception of any new State.

You may proceed in your own way.

Mr. WADE. I have prepared a statement on section 21 which is the section dealing with the highway problem, but I would like to make an off-the-cuff comment or two on the rest of the provisions of the bill.

First of all, I want to say that I discussed the bill, of course, with Governor Egan, before I left Juneau and I am sure if he were here he could probably present the position of the State more effectively than I could, but I think whatever I have to say on the subject we would concur in.

We have no quarrel at all with the objectives of the bill. When we asked for statehood, we assumed that we would have to take on added responsibilities and we are willing and, I think, able to do so at this time.

We do expect, of course, to share in the benefit, too. We are not seeking any better treatment than any other State. We do feel, however, that in some areas we have different conditions and those conditions should be dealt with in a different manner if it were necessary to deal with them in a particular manner, and we would expect Congress to recognize it just as they do in all legislation.

In this present bill I think when you have a different formula for a State that has a per capita wealth that is lower than other States, you recognize different conditions. So it is only in that area do we feel that we would want or need any special consideration.

I want to emphasize that we are not asking for any better treatment. As far as financial treatment is concerned we do not expect to share any greater than our proportionate share.

In connection with all other provisions of the bill, with the exception of that dealing with airports and highways, the State is in complete agreement with the provisions of the bill. We are pleased to recognize that in the welfare provisions of the bill that the drafters of the omnibus bill recognize the fact that the per capita wealth figure that has been applied to Alaska by the Department of Commerce in recent years is not a true figure. We have always felt it was much higher than the facts will warrant, but this bill does recognize that and there will be a special study made of it before the figure is applied.

In connection with the airports, the matter is not as pressing now as it was a couple of weeks ago but the chambers of commerce at

Anchorage and Fairbanks were concerned, and rightfully so, about the State taking on the obligations of operating these two airports which were built and justified in the first instance, largely on defense necessity and then later proved very valuable for international air traffic.

They figured that probably the airports were of more value to the Federal Government in those two areas than they were as a domestic airport. However, I do feel this way and I testified a couple of days ago for the House committee that I think that the grant under the airport provision of the bill could well be increased, or at least I would hope before the final figure was determined in the bill that a new look would be given to the total cost of extending to the proper size these two airports and if the money and the bill is adequate, then we probably would be satisfied.

But the figure which was arrived at here, which is in the bill, which I believe is \$4.5 million, was arrived at 6 or 8 months ago. I do not know what type of study the head of the Federal Aviation Airport Agency, who testified this morning, seems to think is adequate.

Senator JACKSON. We normally do not like to do this, but to pin it down, why can we not write into the bill what it is to be used for and that the Federal Government agrees to do it. We will have to talk to the Bureau of the Budget.

How else can you cover it?

Mr. WADE. I just wonder if it is a realistic figure. If it is as of today, and I feel that with the increase of the jet age in travel, that I wonder if we are getting a long enough airstrip with this money which is as long as we think it should be. After my testimony the other day, the gentlemen may have thought it was adequate. I hope it is.

Senator JACKSON. I know construction costs in Alaska are rather difficult to determine.

Senator GRUENING. They are going up all the time.

Senator JACKSON. This is true. It is the hardest area of the 50 States to make a prediction as to what they are going to be. I think that is an accurate statement.

Mr. WADE. I want to say that we can live with the aviation section and we will make the money go as far as possible, but I would urge that the committee take a look at this to see if it is adequate.

As far as section 21 is concerned, I have a lengthy statement and it would be repetitious of many things that had been said here this morning, but I suppose I had better go through it.

Senator JACKSON. Why do you not put the statement in the record and summarize it? We will just include it in the record.

(The statement follows:)

STATEMENT OF HUGH J. WADE, SECRETARY OF STATE FOR ALASKA

Mr. Chairman, I would like at this time to invite the attention of the committee to the provisions of section 21 of the bill being considered. This is the section dealing with the application of the Federal-aid highway program to Alaska. No provision of this bill is of more importance to Alaska, from either a fiscal or developmental viewpoint. I know that it is not necessary to elaborate to this committee the importance of the long-range road program to our new State. Individually, and as a committee, you are familiar with the subcontinental area of Alaska, and also with its comparatively roadless condition. For the sake of comparison I would note that the total present mileage of roads in

Alaska, now approaching 4,000, is approximately equal to the road mileage of Delaware, our second smallest State. Alaska is therefore virtually roadless except in and near the major centers, with only an embryonic interconnected system. No area in the Nation has greater road needs or is more concerned with the problem of meeting them.

It is most important to keep these facts in mind in assessing the provisions of section 21 of the bill before you. The approach taken may be stated quite simply. It is to apply the provisions of the present Federal aid highway legislation, with two exceptions which I will refer to later, without modification for, or consideration of, Alaska's unique needs. This is based on the generally sound theory that Alaska as a State should be treated as a State in every respect. We do not take exception to this attitude and approach. However, I would like to suggest, in regard to the highway program, that public policy is as well served if we examine the general formula before attempting to apply it. Little is gained by endeavoring to pound square pegs into round holes. The basic road formula has been modified and changed to meet changing requirements throughout the Nation since the enactment in 1921 of legislation on which our present program of Federal aid for highways was built. I would therefore like to review briefly some highlights of the national program.

When the 1921 act was passed the road problem in the Nation was not the construction of new road routes. The United States had then almost as many miles of roads of all classes, mostly poor, as it has today. You are all familiar with the vast rural road mileage embracing such roads as the typical, and sometimes theoretical, roads on the section lines in the part of the country under the rectangular survey system. The big jobs to be done then were, first, to provide for the selection of designated "through" routes and, secondly, to provide Federal assistance for improvement of the primary routes so selected and for improvement of a system of secondary roads. Thus, the basis of the Federal aid program is, and always has been, a road improvement program—one that has proved of tremendous service in upgrading roads to meet increasingly greater needs throughout the country. Later the problem of urban areas was met by special assistance for urban highways as the cities became the bottlenecks in the system. When railroad grade crossings became a major hazard, provisions were added to provide 100 percent Federal assistance for construction of grade separations. Most recently, and of the largest magnitude of all, the National System of Interstate Highways was authorized comprising a designated 41,000-mile system of limited-access, "superhighways" the construction of which is financed to the extent of 90 percent by Federal funds derived from special levies on highway users.

I mention the Interstate System to note that it constitutes one of the continuing exceptions to which I adverted in stating that section 21 would not place Alaska on an identical footing with the other States. In so doing, I am not suggesting that 1,000, or 4,000, or 8,000 miles, of such limited access multiple-lane roads be added to the Interstate System in Alaska, as the area of the State might suggest. We have a very limited need for roads of the standards embraced in that system. To build such roads in Alaska today would be a prime example of fitting square pegs into round holes. However, I do wish to emphasize that we in Alaska pay and have been paying the Federal levies which are earmarked for the Interstate System in the highway trust fund. I believe that this fact, in and of itself, justifies more careful attention to the modification of the basic aid program, the so-called ABC system, to meet Alaska's peculiar and unique problems.

The Federal aid program was extended to Alaska only 3 years ago although it had long been in effect in Hawaii, Puerto Rico, and the District of Columbia. For over 50 years road construction in Alaska had been handled as a direct Federal operation first under the War Department, and after 1932 by the Department of the Interior.

The Alaska Road Commission, as the agency was known until its transfer to the Bureau of Public Roads in 1956, was an efficient and highly regarded operating agency but one that was notably underfinanced. The present limited road system in Alaska is a result. I would note, too, that although it was a Federal activity, until World War II, less than half the funds expended were from general Federal appropriations, and the remainder came from Territorial and local sources. It might be said that the pattern, while not a formal grant-in-aid program on a 50-50 basis, amounted to the same thing. In the early 1920's Alaska made legislative provision for a Territorial road agency with the

intention of participating in the new national Federal aid program. A territorial road agency was established to handle the program. However, the program was not extended until 1956, and the Territorial Road Board served only as a channel for Territorially appropriated funds to the Federal road agency. Over the years Alaska's delegates sought to have the Federal aid program extended to Alaska on an equitable basis. Lack of Federal support for a continuing long-range road construction program was one of the important factors in causing Alaskans to press for statehood. The people of Alaska felt that with statehood it would be difficult to deny full Federal assistance for roads on a reasonable and extended basis. We expected and continue to expect that this will be true.

The Federal Aid Highway Act was extended to Alaska in 1956. We have had less than 3 years' experience under the program. In extending this act to Alaska, Congress made a careful attempt to meet the needs of the Territory. We in Alaska did not like all aspects of the modifications then made but we recognized an honest effort to provide a sound basis for a continuing road program—a program which would make possible for almost the first time a reasonable projection of road construction requirements. The 1956 modifications are the provisions which the bill before you would eliminate. In brief, the Federal aid highway legislation now in effect makes the following special provisions for Alaska:

1. In making basic allocations of Federal aid funds to the States for primary and secondary roads, only one-third of the area of Alaska is used in the computations (note here that for these two systems, sometimes called A and B, a third of the overall allocations to the States is based on area). Thus Alaska is reduced very drastically in its sharing under the program.

2. The administration of the program in Alaska was retained as a Federal activity—a direct operation by the Bureau of Public Roads to which the operations and facilities of the Alaska Road Commission were transferred. We did not care for this feature as we believed that the Territory should have taken over in preparation for statehood.

3. Authority was provided to use so much of the Federal aid allocations as necessary for maintenance of existing roads. Having retained the operations it was presumably not believed appropriate to assess the Territory for these important continuing costs.

4. Alaska was required to contribute only 10 percent of the funds apportioned to it. This in lieu of what otherwise would have been approximately 13 percent under the general public land provisions of the act.

5. The limitation of 7 percent on the portion of the highway mileage of any State that could be incorporated in the basic primary road system was lifted for Alaska as it is for Hawaii, Puerto Rico, and the District of Columbia. This is the other situation in which the bill before you does not treat Alaska exactly as the other States. The exception is continued, and for good reason. We would have no Federal aid highway program at all in Alaska if this exception were not made. Seven percent of Alaska's 1921 road mileage would be somewhere in the neighborhood of 100 miles.

What is wrong with the program as it now applies to Alaska? First, it is essential that we take over and operate the road organization. Section 21(a) of the bill before you would accomplish this. The Secretary of Commerce is directed to transfer without compensation all facilities, land, equipment, supplies and records now held by the Bureau of Public Roads which are not needed for the continuing activities of that Bureau. It is noted, however, that no transfer date is fixed in this section of the bill and, as I read it in connection with section 41, it would be possible to postpone transfer of administrative control until July 1, 1964. The State will not consent to the possibility of any such delay in assuming our rightful functions under the road program.

As to the 10 percent matching requirement, the concession is at present more apparent than real—under the general provisions relating to public lands we would at present be matching about 13 percent on construction projects.

What is wrong with the provisions of the bill before you? First and foremost, its assumption that the Federal Aid Act, unmodified, will meet Alaska's needs. Secondly, its uncertainty as to transfer of functions, property, and equipment to the State. Thirdly, its suggestion that partial assistance on maintenance for a 3-year period is all that is needed, and that, coming as a transitional grant, it is somehow more in keeping with the dignity of a sovereign State.

What is needed? A reasonable adaptation of the basic formula. Let me emphasize here that such adaptation should not be grounded in the concept that Alaska be granted more favorable treatment or unwarranted concessions. To the extent that exceptional conditions are laid down it should be to meet exceptional needs, on a forthright basis of quid pro quo.

As we view it a reasonable resolution of the problem would follow the existing approach. We now receive something less than \$14 million in Federal aid allocations (using one-third the area). Our entitlement under the provisions of section 21 of the bill before you would approximate \$37 million in Federal aid allocations, with the State being required to carry in full an expenditure of almost \$5 million for maintenance in addition to the 13 percent matching on construction.

We believe that a more realistic solution would be for the present act to be modified to provide for the use of two-thirds of the area in the allocation formula. This would approximate \$27.5 million at the present rate. We would be reducing the drain on the general fund by approximately \$9.5 million annually. In return, we would like to retain the present provision of law permitting the use of the Federal-aid apportionment for maintenance as well as for construction. We would be pleased to accept a 20- to 25-percent limitation on the use of such allocations for maintenance.

Further, we would recommend the extension of the present flat 10-percent contribution on construction projects. We feel fully justified in asking this in lieu of any present participation in the National Interstate System which is based on a 90 percent-10 percent formula. The concession here is quite minimal but we desire this at the present time because of the uncertainties in determining the State's exact percentage of participation during the next years when selection of State lands will have an important effect on the proportion the State matches. Good administration requires more certain advance knowledge of the State's obligation and important annual changes will hamper the road program.

I have outlined the exceptions which I believe are justified and fully defensible. It is possible that the issues that this approach raises are so involved in basic Federal aid road policy that you would prefer to separate them from consideration with the other provisions of the bill before you. If so, I recommend that this committee delete all of section 21 except subsection (a) and other necessary provisions for the transfer of the activities and functions of the Bureau of Public Roads to the State of Alaska.

Mr. WADE. We can boil it down and shorten my time.

I think the general discussion that took place here this morning emphasizes the fact that it was the State's suggestion that this highway problem in Alaska is a pretty big problem, a pretty serious problem and should not be treated in the omnibus bill.

In fact, it was brought out here this morning that we have not had good treatment over a period of years which should be considered in arriving at a solution now and it is something that we should face up to.

Actually, we should look at this realistically and I think if you do, you will conclude that it is too big a subject to deal with in the omnibus bill and it could well be the subject of special legislation.

Senator JACKSON. Might I make this suggestion to you: Without prejudice to any action that we might take, how would it be if we indulged in that old American custom of setting up a commission or a committee, by suggestion of this committee, with representatives from the State, appointed by the Governor, and with representatives appointed by the Department of Commerce, namely Public Roads, but acting under the Department of Commerce in liaison with the Department of the Interior to look into this entire matter in light of all the equities; going back to what we discussed this morning, which would take into account what Alaska might have received.

In fairness, I think you have to give some consideration to the economic situation in Alaska as far as matching money, the \$300

million that we talked about. There is a deficit. They could report back with some recommendations. I think that perhaps something could be worked out on this.

We cannot settle it in this bill because we would have to get diverted in here into some lengthy hearings and we are not prepared to go into it at this point. I realize you cannot speak for the Governor. I believe it would afford an opportunity to take a good, hard look at this whole problem and, in particular, they could include the unusual situation that pertains to the Military Establishment in Alaska.

I think some of the highways that the Federal Government built affecting Anchorage and affecting Fairbanks, at least in part, are nothing more than what occurs in many of the other States which have military access roads.

This would afford an opportunity, it would seem to me, to give some consideration to maintenance problems, with which I know you are greatly concerned. I merely make the suggestion, and we could spell it out in writing and ask that this be done. I know that it would be of great help to this committee.

Mr. WADE. Senator, I feel I can speak for the Governor on that. I am sure that he would agree to it readily.

Senator JACKSON. This is without obligation of either side.

Mr. WADE. Surely. I am sure he would be very pleased if this section were deleted from the bill, our present formula continue for the interim period and the present organization and operation—

Senator JACKSON. We may just leave it as it is. The point is it would be without prejudice. We are not making any final decision here but at least we would afford an opportunity to have an impartial review of this whole thing and take a good, hard look at it.

Mr. WADE. It is a serious problem for us, Senator Jackson, as you know. It is our big problem. We can live with this formula but we will be embarking upon a road program that we would not otherwise be embarking on and it would not be the one that is most helpful to us.

Senator JACKSON. I would not want to hold out any false assurances here or promises by what I suggested. I think this would simply afford an opportunity at a very minimum to get the facts and find out just what is involved in this matter.

I do believe that it would be very helpful to this committee and it would avoid the necessity of prolonged hearings. It would mean that both the Federal Government and the State could have an opportunity to go into it in detail.

Mr. WADE. I feel that that would be an ideal solution so far as we are concerned, and I would urge that the committee consider it seriously.

Senator JACKSON. There is nothing more important to Alaska than transportation to and from the territory of all types, and transportation within the territory. This certainly goes to the heart of the economy of Alaska and the future health and development of it.

Mr. WADE. Leaving this out of the bill now, from the Federal Government's pocketbook standpoint, it saves them considerable money for this next fiscal year, the difference between \$27 million and about \$14 million, but we would be willing to live with that.

Senator JACKSON. I believe it is already out of the Government.

Mr. WADE. I am referring to the Federal aid formula.

Senator JACKSON. We will get into that when Mr. Seidman returns.

Mr. WADE. I was also interested this morning in the military use of the highway. I am sure a survey in that respect would show that there are many highways that the military use constitutes half of the traffic on the highways on a year-round basis.

As you know they burn gasoline that does not carry a gasoline tax and we get no revenues from the use of the highways by that equipment. Therefore, we are deprived of that tax revenue for maintenance purposes.

It hurts. It is a really serious situation. The Bureau of Public Roads told me the other day that there are only two stretches of highway and those for only a comparatively short distance that pay for themselves by users of the highways, pay for the maintenance of those roads. I mean on a tax basis, the gasoline tax basis.

There are only two short roads and that is in the vicinity of Anchorage and Fairbanks. The rest of the whole system does not pay for itself.

Senator JACKSON. This is a matter that could be properly looked into. I do not think it would be unreasonable just knowing what little I do about the military activity in that area to give some thought to a finding that at least constructively, certain portions of these roads are in fact, military access roads.

Even though they are set up as territorial roads to begin with, I think it would be completely compatible and no exception would be made with what we are already doing in some areas of the other States where we do have military access roads. I want to have the facts.

Mr. WADE. I do not know that it is necessary for me to go into any further detail. If you have any questions, I would be glad to answer them, but I do feel that we would be much happier if this were considered independent of the omnibus bill. We will live with the rest of the omnibus bill; we will be very happy with it.

Senator JACKSON. Your recommendation is that the highway section be left out and that it be dealt with at a future time?

Mr. WADE. That is right.

Senator JACKSON. Senator Bartlett, I explained that your presence was required at a hearing of your committee on Interstate and Foreign Commerce in connection with transportation problems in Alaska earlier this morning, that you could not be here. Do you have anything you want to say at this time?

STATEMENT OF HON. E. L. (BOB) BARTLETT, U.S. SENATOR FROM THE STATE OF ALASKA

Senator BARTLETT. Yes. Thank you very much, Mr. Chairman. I was in attendance on the Interstate and Foreign Commerce Committee having to do with three bills concerning Alaskan transportation.

I should say that in general, I would want to go on record as endorsing the intentions and the principles of the so-called omnibus bill. We are particularly gratified that it contains the provision relating to the control of opium.

Senator JACKSON. Do you have an opium problem up there?

Senator BARTLETT. Yes; by referring to one section of the bill, you will note that this will be taken care of now.

More seriously, Mr. Chairman, this opium section to which I allude strikes a superfluous reference in the Opium Poppy Control Act of 1942 to the Territory of Alaska. As a matter of fact, in very large measure, the bill is made up of a series of technical amendments as you have already noted.

Among other things, the bill will extend the act relating to the importation of milk and cream into the United States to the State of Alaska. This is a small matter but, as a matter of fact, it is one that we have been attempting to extend to the Territory of Alaska for some years.

There is no great feeling against it, but it was merely one of those things that did not get done, which was so often the case under the territorial status.

I am sure the Governor of Alaska, William A. Egan, has noted with approbation, or otherwise, that the laws protecting the bald eagle will now be extended to the State of Alaska, a subject in which he has had some interest over the years.

I would not want, naturally, Mr. Chairman and members of the committee, to request less in the omnibus bill, as the secretary of state of Alaska, Mr. Wade, has done, and I do believe that the transitional grants spelled out in the bill can be justified from every standpoint.

I should like, with your permission, to refer to the section dealing with annual court sessions in Alaska by the Ninth Circuit Court of San Francisco. It has been my understanding in the last 2 or 3 days that at least one judge in San Francisco has expressed some opposition to this section.

Senator JACKSON. The correspondence between the chairman of the full committee, Senator Murray, and Judge Pope, of the Ninth Circuit Court and also the letter from Warren Olney III, director and the administrative officer of the U.S. courts will be printed later in the record.

He indicated the expense of what would be involved in connection with the legislation in section 23 of the bill.

It is our estimate that expenses involved in having the Court of Appeals for the Ninth Circuit hold a session annually in Anchorage would amount to approximately \$5,000. The estimated expenses involved in having the new district court sit in Ketchikan would also amount to approximately \$5,000.

They meet once a year. Earlier this morning, Senator Bartlett, other sundry matters were brought up and the correspondence on them will be placed in the record.

(The documents referred to appear in the appendix.)

Senator JACKSON. Senator Moss pointed out certain objections to the bill. He pointed out that Montana and certain other areas would like to have this right at this time since they do not now have it.

I think a solution to this might be an amendment to the effect that the court shall meet at the convenience of the litigants involved. This does not mean that it has to be in the particular State. This may be a solution, depending entirely on the situation.

I do not think it is a big point one way or the other.

Senator BARTLETT. It may not be a big point, but I want to express the hope that the views of a single judge will not be too persuasive. After all, I think we have taken the position in this country for a long time that justice must be provided, notwithstanding the cost.

It does not seem to me that \$5,000 is an excessive cost for the appellate court to sit at Anchorage.

Senator JACKSON. How do we explain Senator Murray's problem?

Senator BARTLETT. I should think in this manner, that litigants in Alaska who are required to go before the circuit court must spend much more money to do so in reaching San Francisco than do the litigants from Montana. It is just a matter of distance.

Senator JACKSON. The courts always object to circuit type, mandatory types of hearings. I think we would be compelled to accommodate the other States on this.

Senator BARTLETT. It has been suggested around these Halls that more mandatory requirements ought to be put upon the courts.

Senator JACKSON. I think we can work this out to achieve the same thing. It is a question of how we do it. I do not think there would be any great problem. I think as a practical matter, if litigation occurs at the same time the courts are meeting in Seattle, then there is not any problem.

If these have cases that must be argued and there is no other immediately adjoining area where the courts are in session, I think they should go. This is just a matter of commonsense.

The same way that litigants come from Montana to the closest point—I think is the way they usually handle it, but I am sure it can be worked out without any inconvenience to anybody.

Senator BARTLETT. I am astounded that the court unanimously does not demand that the language in the bill be passed.

Senator JACKSON. With the certain stipulation that it relate to a specific time of the year.

Senator BARTLETT. I should like to conclude by commenting as briefly as possible upon the airport-road situation.

I suppose if the decision had been left to me I should have urged that the Federal Aviation Agency remain in charge of the international airport at Anchorage and Fairbanks, and continue to maintain and operate them.

Senator JACKSON. As an agent?

Senator BARTLETT. To put up the money for the extension of the runways and terminal facilities. That would have been convenient for us and would have been the easier way out, perhaps, but I cannot, in good conscience, object to the suggestion now before the committee from the Bureau of the Budget.

It seems to me upon exploration that through the transitional grants authorized in the omnibus bill—always provided we get the appropriations promptly—these runways may be extended, so they will accommodate jet aircraft.

I know you realize, Mr. Chairman, that these longer runways are essential because of the polar traffic between Europe and Asia. The bill now before us will not accommodate the immediate financing of terminal facilities and if the committee in its reasoning should choose to take care of that situation, all the better, but I think so far as the runway extensions are concerned, we can bring them into being through the provisions of the bill now before us.

I think, Mr. Chairman, that if it should be the judgment of the committee and the Congress that we enter into an arrangement for roads suggested by the bill, we can live under that. It will not be easy. It concerns me greatly as it concerns Secretary Wade, as it concerns Governor Egan, as I am sure it concerns Senator Gruening, Representative Rivers, and everybody else who has looked into this problem, and as I believe I said a few minutes ago, the appointment of a study commission has a lot of merit.

If you decide to follow that, I think it would be well to have a timetable attached so that the report may be made during the summer. It should not take too long. We are all this year because funds have already been allocated by the Bureau of Public Roads for fiscal year 1960.

Senator JACKSON. My suggestion would be that they complete their work in time for appropriate consideration in connection with the preparation of budget requests for next year, which would mean that they should complete their work this fall.

I am making the stipulation that it tie in in time for the budget preparation. I realize that budget preparation starts early, but you still have time early this fall.

Senator BARTLETT. I do think there is some merit in the suggestion which has been made, not originated by me, that the Federal Highway Act as originally written and as now implemented may not bear too properly upon an Alaskan situation. By that I mean that when the law was initially passed and approved most of the highways which exist in the United States now then existed with respect to total mileage, or so I am informed.

They were in very poor shape, of course, but the acts were intended to bring these existing roads up to better standard.

Well, this does not apply very appropriately to Alaska because we only have about 4,000 miles of roads of all types. Some of them are pretty substantial. And Public Law 85-67 of the 85th Congress approved August 27, 1958, shows that there have been deviations hither and yon, here and there, to meet special situations.

I refer, for example, on page 3 of the law to this paragraph:

The term "urban area" means an area including and adjacent to a municipality or other urban place having a population of 5,000 or more as determined by the latest available Federal census within boundaries to be fixed by State highway departments, subject to the approval of the Secretary.

That is a special definition obviously to take care of special circumstances.

Again, at the bottom of page 5, and at the top of page 6:

For extensions of the Federal aid primary and secondary systems within urban areas, in the ratio which the population and municipalities and other urban populations of 5,000 or more in each State, bears to the total population of municipalities and other urban places of 5,000 or more in all the States as shown by the latest available Federal census for the purposes of this paragraph Connecticut and Vermont towns shall be considered municipalities regardless of the incorporated status.

Now, I cite those, Mr. Chairman, merely to show that there have been deviations from the standards customarily applied.

Senator JACKSON. It all depends upon how you do these things.

Senator BARTLETT. I agree with that ever so much. Of course, you know that there are special circumstances and considerations with respect to Alaska.

Senator JACKSON. I think, very frankly, the only problem we have, which is entirely different, which I think Mr. Wade brought up at the other hearing, is in connection with the grant of funds for maintenance purposes.

That would be entirely different because there is no precedent for that and, unless you applied it uniformly, you run into trouble; but I do believe that there is enough information which has been brought out here today to warrant a good, thorough study and submission back to this committee of some recommendations, if any, in dealing with this problem which is a serious one in Alaska on the basis of the equities involved and I think there is enough information in the record here to take a good, hard look at it.

Senator BARTLETT. In conclusion, Mr. Chairman, I want to congratulate Mr. Seidman and Mr. Schnoor for having done a simply terrific job in a most difficult field and I think that Alaska is under a great obligation to them, which I am glad to record here and now. Thank you.

Senator JACKSON. It is quite apparent they have done a fine job and we appreciate having your statement, Senator Bartlett.

Are there any questions of Mr. Wade?

Senator GRUENING. I would like to ask Senator Bartlett a question.

In connection with his comments on the provisions of the bill that the Ninth Circuit Court should have a session in Anchorage and having that cost \$5,000, is that not a great deal less than the accumulated expense of the numerous costs that would have to be incurred by litigants in going down from Anchorage or elsewhere in Alaska to San Francisco each year? Would not the equity in all fairness, be to have the court go up there and spend \$5,000 rather than having a lot of individuals in Alaska spend many times that amount in defense of their interests?

Senator BARTLETT. I agree completely.

Senator JACKSON. Frankly, I do not believe it is the problem of the cost. I think it is, again, the problem of how you do these things. I think the point is, if I understand it—and I am just doing this without any background research on it—I think the point is that I do not believe there is any provision in the existing law requiring the circuit court to meet in specific places.

I may be wrong on that but I want to be corrected and I will ask the Bureau of the Budget people to answer that in a moment. I think this is the problem. I think we can cover and achieve the very same thing maybe in a different way.

I think it should be said, and it is called to my attention by Mr. French, that Judge Pope was talking to the judicial council and speaking as chief judge of the circuit.

I think we will be able to deal with this properly at the proper time. I am not worried about it. As long as we do justice to the litigants in the entire ninth circuit area, then I do not think there will be any problem.

Thank you, Mr. Wade.

Reverting to the question of the courts, could you advise us whether or not there is any precedent for requiring a circuit court to meet in any place other than the established place?

STATEMENT OF HAROLD SEIDMAN, BUREAU OF THE BUDGET—
Resumed

Mr. SEIDMAN. Yes, there is, Mr. Chairman, and the amendment which we propose merely adds Anchorage to the other cities in which the court is required to hold sessions.

Senator JACKSON. I thought you were making it mandatory by saying "shall."

Mr. SEIDMAN. No, it is just amending it.

Mrs. VAN CLEVE. The initial language is "shall."

Senator JACKSON. Why do we not add Anchorage and add the word "may." I understood your amendment would be, they may be held in all these other areas, and in the case of Anchorage, shall be held.

Mr. SEIDMAN. "Terms of session of court shall be held annually," and it says special terms may be held so the court shall be held annually. This is the present section of the law. In other words, we are adding Anchorage to the other cities enumerated.

Senator GRUENING. Could you tell me whether the court has the discretion to sit at any one of these four indicated cities at any one time?

Does that have a discretion as to when it shall move to Seattle, to Portland?

Mr. SEIDMAN. I understand that it does.

Senator GRUENING. But it must go once a year?

Mr. SEIDMAN. Yes, it does. This gets into the area of the judiciary. We have discussed this proposed amendment with both the Administrative Office of the Courts and the Department of Justice which is principally concerned. The Administrative Office of the Courts informed me that the word "shall" as used in the statute is discretionary.

They pointed out that the statute says the Federal district court shall be held in Cumberland, Md., and it has not held sessions there in a number of years. Even though the word "shall" is used, apparently, the court does have discretion in the matter and it was the view of the Department of Justice that this was an appropriate amendment, and in view of the volume of litigation and the requirements in Alaska, and, as pointed out here, this merely adds Anchorage to the other cities which are enumerated already in the statute.

Senator JACKSON. I think certainly, the court should have the discretion where, for example, if there is not any business at the time, they should not be required to sit. I think, apparently Judge Pope and the judges make the objection, in a letter to Mr. Warren Olney III, on this particular point:

You will note from the summary which we had made by our law clerks that during the period from 1951 to date there have been an average of about 3½ cases a year that would have come on appeal to this court had Alaska been a State. I think it is apparent that that amount of appellate business would hardly warrant this court making regular trips to Anchorage or the hearings of appeal.

If you are called upon to express some views to the congressional committee charged with the proposed legislation, I assume you will inform them of our judicial council.

I do not think we have to belabor the point. I certainly think they should be treated as the other communities as designated under the

mandatory provisions, if there is a basis for it. I think it is a question of fact here and I am sure you can review that and take a look at it.

Mr. SEIDMAN. This we did explore with the Department of Justice and the Administrative Office of the Courts. This was reviewed and I do not think that 3½ cases is necessarily indicative of the amount of time that litigation could take.

I am sure, regardless of the wording of the statute, if there were no cases, the court would not be required to hold annual sessions.

Senator JACKSON. We can look into it. It depends on how you handle it. If they come up each time for each case, that would be three trips. We can check on that. I do not think that is any very big problem.

Mr. SEIDMAN. I would like to clear up a couple of things. On the airports, the estimate of the Federal Aviation Agency for the construction of the runways and other improvements at both Fairbanks and Anchorage is \$9 million. Under the provisions of the bill, they would not want the \$4½ million in the transitional grant earmarked for airports because then it would not be used for matching purposes.

That money, if used for matching would provide a total airport construction program of \$12 million, so, you see, we have allowed some leeway. With the estimate of \$9.9 million, there is some flexibility.

To come back to the highway program, it would be a matter of great concern to us if this section were deleted from the bill since that would prevent the transfer of these functions to the State. Certainly, it seems that the study which you recommended could go forward—

Senator JACKSON. What if we left it as is and without prejudice to go ahead with the study. Would you give that consideration?

Mr. SEIDMAN. That is the approach, I think, that certainly we would favor, because I think Mr. Wade will confirm—he indicated this in his testimony to the House—under the provisions of this bill, there will be no problems during the next 5 years since funds are provided for both construction and maintenance for the next 5 years under the provisions of the bill.

This would also allow more time for the study to go forward. This would seem to me to be the sound approach to maintain this provision in the bill and explore the matter in a separate study.

Senator JACKSON. I think we could cover this matter in our report. We could make some provisions accompanying the bill if the committee feels there should be this commission set up or committee of the Federal and State governments and then report back at a later date and whatever we do here is without prejudice to any subsequent action.

We are pleased to hear that you agree with that.

I would assume that the State would want to take over the highway department as soon as possible and this is a matter that the Bureau of the Budget is concerned about.

Mr. SEIDMAN. We are concerned about this and the way Federal highway program operates. Apportionments are made 1 year in advance and any delay could delay the provision for necessary construction funds for perhaps 2 or 3 years more.

Senator JACKSON. Do you have any comments on anything else?

Mr. SEIDMAN. No, Mr. Chairman.

Senator GRUENING. I have a few questions I would like to ask. It is my understanding that the last section on the courts is to provide

for the transfer of public moneys received by each division of the district court for the Territory of Alaska.

The State of Alaska—the section specifies that the transfer of funds will not be made until all payments ordered by the court have been made.

Would you agree that there should be a provision for requiring approval of such payments before they are made by the administrative authority for the court, such as the Director of the Administrative Office of the Courts?

Mr. SEIDMAN. I would certainly support such an amendment, and we discussed this with the Administrative Office of the Courts and there was some concern about the rate of expenditures that was now being made from these funds. The expenditures are made entirely at the discretion of the district judges.

Senator GRUENING. It would seem that that provision, prior to approval of payment, would eliminate that.

Mr. SEIDMAN. We would support that.

Senator BARTLETT. Amendment to page 16, line 12 in section 23(d) insert immediately after the word "court" in line 12, page 16, the following and approve—

Senator JACKSON. I wonder if we can get copies of all of these.

Mr. SEIDMAN. This is the one we submitted this morning. It is already in the record.

Senator JACKSON. I have amendments proposed by the Bureau of the Budget.

Senator GRUENING. Now we are moving to section 41 concerning the transfer of property. Section 41 would confer on the President extremely broad authority to transfer property of the U.S. Government to the State of Alaska. The authority of the President to transfer such property would according to the bill, arise upon the termination of any function by the Federal Government.

Mr. Seidman, for the record, would you define the word "terminate" for the purpose of this legislation? At what point in the operation of a Federal function would the function be officially be determined to have been terminated.

It is not possible that certain projects within a broader program of the Federal agency might be terminated before it could be said that the function of the whole agency had been terminated? In the event a segment of responsibility within a major program area is terminated resulting in the availability of Federal property no longer usable by the Federal agency, could not such property then be transferred to the State without the entire function of the agency concerned having been concluded?

Mr. SEIDMAN. That was the understanding we had of the intent of the section. It was not the intent that a Federal agency would discontinue all of its functions. The intent was that the President would be able to assess what properties were required for the continuing functions of the Federal agencies and then, to turn over to the State those properties which would be necessary for the functions which would be assumed by the State.

The termination could be in a very limited sense. It could be construed here if you were operating a depot for storing highway materials and the Federal Government discontinued the operation of

that depot and the State assumed that function, that would be considered as termination.

Senator GRUENING. Is it your understanding that section 41 also covers transfers of property under section 6 of the Alaska Statehood Act which refers to the transfers of the fisheries, boats and so forth?

Mr. SEIDMAN. It would provide for transfers in addition to 6(e). In other words, you have a strict standard set out in 6(e) for the transfer of the properties required for the conservation of fish and wildlife. In addition, the President could transfer other properties for that purpose. 6(e) creates some difficulties because of the restrictive definitions contained in the Statehood Act, so additional properties for that one purpose could be transferred under section 41.

Senator GRUENING. We have a few questions relating to the highly controversial matter of the Claims Commission. I gather with respect to the provisions of section 42, page 27, that it is the expectation of the Bureau of the Budget that disputes as to property to be transferred under section 6(e) will be infrequent?

What type of disputes would be anticipated? How might they arise and how long would you expect this Commission to be in operation?

Mr. SELDMAN. I would hope there would never be any necessity for creating this Commission. It was a safeguard in the event that under 6(e) or any other provision of the statute, where there were property disputes between the State of Alaska and the Federal Government, that there would be some independent body which could consider and resolve them.

Of course, under section 41 the final discretion is within the President's power. This would be giving up a little of the President's power to the independent body in the event there were disputes. We would hope there would not be any such disputes.

Senator GRUENING. Since the President gives up powers, since he appoints the Commission, we thought it might improve the standing of the Commission if these three Commissioners were subject to confirmation by the United States Senate.

Mr. SEIDMAN. We would certainly have no objection to that, but it seems that the nature of the work to be performed is not of the type that would ordinarily require senatorial confirmation.

If it is the judgment of the Senate committee that there should be Senate confirmation, I think it would be all right.

Mr. Schnoor calls my attention to the fact that there may be more than one Commission appointed. We may have one dispute for a series of claims and then go out of existence and then another one in the event another dispute comes up.

Senator GRUENING. You did not visualize one permanent Commission?

Mr. SEIDMAN. No.

Senator JACKSON. You would hope that these problems are not of a permanent nature?

Mr. SEIDMAN. That is right.

Senator JACKSON. Before you leave section 42, I wanted to insert in the record a letter which Senator Murray received from the Comptroller General under date of April 22. The Comptroller General raises the point that although the Bureau of the Budget has assured them that there is no authority in the proposed commission to effect

money settlements, they say they do not find anything in the language of section 42 that would preclude that possibility.

Therefore, they would like to have some negative language; otherwise, they would like to have their usual right to audit.

(The Comptroller General's letter appears in the appendix.)

MR. SEIDMAN. Mr. Chairman, we discussed this with the General Accounting Office and we included in our sectional analysis of the bill the statement that the Commission would make no money settlements but would merely decide which jurisdiction is involved and so on.

Senator JACKSON. I will have the two counsels here go into that. There is certainly agreement on the intent or it should be in statutory language. We can check on that.

Senator GRUENING. There is one sentence at the conclusion of section 42(a) which troubles me somewhat:

Any settlement made by such Commission under the authority of this section shall be final and conclusive for all purposes notwithstanding any other provisions of law to the contrary.

Do you mean that the State of Alaska, if it felt that it was discriminated against would not have any recourse to the courts?

MR. SEIDMAN. As I gather from discussions with the Department of Justice, Alaska would probably not have recourse to the courts in any event in this type of question, but it is my understanding from discussions with the Department of Justice—

Senator JACKSON. They always have the recourse to Congress.

MR. SEIDMAN. I think in our discussions we have discussed these amendments, the Bureau of the Budget has, and we would have no objection to striking the last sentence.

Senator GRUENING. I think we would all feel much happier if it were stricken.

Senator JACKSON. You would not be able to get into court unless you strived for that.

MRS. VAN CLEVE. I understand that this sentence which appears in a great number of statutes for commissions that make money settlements, for the Defense Department and so, is consistently ignored by the courts, so it is absolutely meaningless.

Senator GRUENING. Why can we not write a little judicial history by striking right away?

Senator JACKSON. Under existing law, could the litigants get into appellate court?

MRS. VAN CLEVE. I would not want to answer that question in light of what the Justice Department thinks. We always defer to the Justice Department.

Senator JACKSON. I would think there would at least have to be an express provision to bring them in the court in the absence of such provision. They certainly do not enjoy that automatically nor would the Administrative Procedure Act apply.

MR. SEIDMAN. It is my understanding from the Department of Justice that there would have to be consent to suit.

Senator GRUENING. Would this commission be able to deal with so-called native claims?

MR. SEIDMAN. No. It would not. There is nothing in this bill that deals with the problem of native claims. I think the report of this committee on the subject of the Statehood Act is conclusive as far as we are concerned.

Senator GRUENING. Under existing legislation, the Alaskan game laws require the issuance of Federal license for hunting and fishing. It is my understanding that the Alaskan game commission has recommended that such Federal license requirements be eliminated in view of the status of Alaska as a sovereign State and the existence now of State licensing authorities.

At present, Alaska is the only State in which Federal as well as State hunting and fishing licenses are required. Would the Bureau of the Budget have any objection to an amendment to this bill which would authorize the Alaskan game commission to waive requirements for Federal licensing?

Mr. SEIDMAN. The Bureau of the Budget would have no objection provided it is satisfactory to the Department of the Interior. The proposed language might raise some problems.

Mrs. VAN CLEVE. I have talked to some of the interested people in the Interior Department about this, and, although the Department has taken no official position, they have no objection as a matter of policy to the point emphasized.

However, there are a couple of possible technical questions which I would like to raise. I think they are not immediately answerable, but I would like to raise the questions for your consideration.

The first problem has to do with the fact that the Alaskan game law which, in effect, is amended in your proposed amendment is transformed to a State law, by section 8 of the Alaska Statehood Act.

Assuming that that is true, and I think it is, then there is created the question of whether the Federal Congress has authority now to amend the State law.

By the same token, there is a second question arising under section 6(e) which as you know, provides that the Interior Department will continue to administer the fish and wildlife resources of Alaska under existing law.

The question of what that phrase "under existing law" means, I understand, is currently pending in the court of appeals in connection with the fishtrap case, but presumably, it means some existing date in the past.

If the current game law were amended in the fashion proposed, the Federal Government would be administering the fish and wildlife resources under existing law plus one subsequent amendment. That, in turn, would probably constitute, in effect amendment to section 6(e) of the statehood act. That, in turn, raises the question that I have not yet seen answered as to whether the statehood act can have a special provision by amendment.

I raise this question without answering it. I think they are essentially technical.

Senator GRUENING. Could we have some clarification with respect to fish and wildlife licenses?

Mrs. VAN CLEVE. I am not professionally concerned with the Fish and Wildlife Service so I am far from an expert, but I understand the Associate Solicitor who is involved in the Interior Department has recently concluded that there are certain areas where the Alaskan Game Commission has discretion with respect to requiring license or not.

I presume that the recent administrative action taken was within the area where it was held to have discretion and that your amendment would relate to the areas where it has no discretion.

Senator GRUENING. We would like to have that clarified in the final draft of this bill if it needs further clarification.

Mr. SEIDMAN. I think Mrs. Van Cleve will undertake to look into this further.

Senator JACKSON. Give your best judgment on how this matter should be handled.

Mr. SEIDMAN. We have no disagreement on the policy here at all.

Mrs. VAN CLEVE. I might like to add one other point. Let me say if the questions I have raised are answered affirmatively, that is, if there are constitutional questions here, the converse is almost equally unacceptable because we then would have the situation of the State of Alaska presumably being the sole authority able to enact amendments to a law once Federal, now State, administered by the Federal Government. This is potentially preposterous.

Senator JACKSON. That is what we have courts for.

Are there any further questions or comments?

I have one or two. What is the effect of section 4 with reference to the Sugar Act?

Mr. SEIDMAN. I think I can undertake to answer that.

The State of Alaska will now be included for the purposes of determining domestic sugar requirements and that, secondly, Alaska will be considered in terms of establishing import quotas into the United States.

Senator JACKSON. Will you divide the present quota or will the quota be increased to the extent that Alaska participates?

Mr. SEIDMAN. The quota will be increased to the extent that Alaska participates.

Senator JACKSON. What is the situation with respect to Hawaii?

Mr. SEIDMAN. This was discussed on the floor during the debate on Hawaiian statehood. The Department of the Interior submitted a memorandum on this. We are now engaged in a similar enterprise on coordinate the transition of Hawaii, and I am sure we will encounter the matter again.

Senator JACKSON. We had to clarify that situation with some of the Senators. I think I had a colloquy with Senator Dworshak on the Hawaii statehood bill. As I understand it now, insofar as section 4 is concerned, the quota would be increased to the extent that Alaska is brought in under the Sugar Act.

Mr. SEIDMAN. That is true, but, also, there is no sugar produced in Alaska.

Senator JACKSON. In the meantime, I would appreciate it if you would take a look into the little different approach on the housing matter, if you can.

Mr. SEIDMAN. Mr. Chairman, I will do that. It may raise some problems, but I think we might, also, if we can, find a different approach to avoid similar problems on the floor of the Senate. That is my only concern. I am sure we can work that out by the time we get to executive session.

Senator JACKSON. If there are no further questions, the committee will stand in recess, subject to call of the Chair.

(Whereupon, at 3:30 p.m., the hearing in the above-entitled matter was recessed, subject to call of the Chair.)

APPENDIX

(By direction of Senator Jackson, S. 1541 and the reports of the executive agencies are printed as an appendix to the record.)

[S. 1541, 86th Cong., 1st sess.]

A BILL To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Omnibus Act".

FEDERAL JURISDICTION

SEC. 2. Section 4 of the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, is amended by striking out the words "all such lands or other property, belonging to the United States or which may belong to said natives", and inserting in lieu thereof the words "all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives".

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

SEC. 3. Any Territorial law, as that term is defined in section 8(d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union—

(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

(b) the application of which to the State of Alaska is continued solely by reason of such section 8(d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the Legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

SUGAR ACT

SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection "(o)" and to read as follows:

"(o) The term 'continental United States' means the 49 States and the District of Columbia."

SOIL BANK ACT

SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C., supp. V, sec. 1837), is amended to read as follows: "This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term 'State' includes Hawaii, Puerto Rico, and the Virgin Islands."

ARMED FORCES

SEC. 6. (a) Title 10, United States Code, section 101(2), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii".

(b) Title 10, United States Code, sections 802(11) and 802(12), are each amended by striking out the words "that part of Alaska east of longitude 172 degrees west,".

(c) Title 10, United States Code, section 2662(c), is amended by striking out the word "Alaska,".

NATIONAL BANK ACT

SEC. 7. Section 5192 of the Revised Statutes, as amended (12 U.S.C. 144), is further amended by striking out the words "in Alaska or".

FEDERAL RESERVE ACT

SEC. 8. (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C. 221), is further amended by deleting the period at the end of such section and inserting in lieu thereof the following: "; the term 'the continental United States' means the States of the United States and the District of Columbia."

(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C. 466), is further amended by striking the words "in Alaska or".

HOME LOAN BANK BOARD

SEC. 9. (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1422(3)), is further amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii".

(b) Section 7 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1466), is further amended by striking out the words "continental United States, to the Territories of Alaska and Hawaii" and inserting thereof the words "continental United States (including Alaska), to the Territory of Hawaii".

NATIONAL HOUSING ACT

SEC. 10. The National Housing Act is amended by—

(a) striking out the word "Alaska," in sections 9, 201(d), 207(a), (7), 601(d), 713(q), and 801(g) (12 U.S.C., secs. 1706d, 1707(d), 1713(a) (7), 1736(d), 1747 1(q) ; supp. V, sec. 1748(g)) ;

(b) striking out the words "the Territory of Alaska," in section 207(c) (2) (12 U.S.C., supp. V, sec. 1713(c) (2)), and inserting the word "Alaska" in lieu thereof ;

(c) by striking out the words "the Territory of Alaska or in Guam" in section 214 (12 U.S.C., supp. V, sec. 1715d ; 48 U.S.C., supp. V, sec. 484d), and inserting the words "Alaska, Guam," in lieu thereof ; and

(d) striking out the word "Territory" in the two places where it appears in section 806 (12 U.S.C., supp. V, sec. 1748e), and inserting the word "State" in lieu thereof.

COAST GUARD

SEC. 11. Title 14, United States Code, section 634(b), is amended by striking out the words "and for the territory of" in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

SEC. 12. (a) Paragraph (6) of section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b(6)), is further amended by striking out the word "Alaska,".

(b) Paragraph (16) of section 3(a) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c(a) (16)), is further amended by striking out the word "Alaska,".

(c) Paragraph (18) of section 202(a) of the Investment Advisers Act of 1940, as amended (15 U.S.C. 80b-2(a) (18)), is further amended by striking out the word "Alaska,".

(d) Paragraph (37) of section 2(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-2(a) (37)), is further amended by striking out the word "Alaska,".

(e) Paragraph (1) of section 6(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-6(a) (1)), is further amended by striking out the word "Alaska,".

SOIL CONSERVATION

SEC. 13. (a) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C., supp. V, sec. 590h(b)), is further amended by inserting, immediately following the words "continental United States", the words ", except in Alaska".

(b) Section 17(a) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590q(a)), is further amended by striking out the words "the United States, the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "the States, the Territory of Hawaii", and by striking out the word "Alaska" the second time it appears therein.

BALD EAGLES

SEC. 14. Section 1 of the Act of June 8, 1940 (16 U.S.C. 668), is amended by striking out the words "except the Territory of Alaska,".

WILDLIFE RESTORATION

SEC. 15. Section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and ", and "the Territory of Alaska,".

FISH RESTORATION

SEC. 16. Section 12 of the Act of August 9, 1950, as amended (16 U.S.C., supp. V, sec. 777k), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

CRIMINAL CODE

SEC. 17. (a) Title 18, United States Code, section 5024, is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

EDUCATION

SEC. 18. (a) (1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out "Alaska," each time it appears.

(2) Paragraph (3) (B) of section 302(a) of such Act (72 Stat. 1580, 1588), relating to definition of continental United States for purposes of allotments for science, mathematics and modern foreign language instruction equipment, is amended by striking out "does not include Alaska" and inserting in lieu thereof "includes Alaska".

(3) Section 1008 of such Act (72 Stat. 1580, 1605), relating to allotments to territories, is amended by striking out "Alaska,".

(b) (1) Section 4 of the Act of February 23, 1917 (20 U.S.C. 14), relating to allotments for teacher-training, is amended by striking out "\$90,000" and inserting in lieu thereof "\$98,500". The proviso in the last paragraph of section 5 of such Act (20 U.S.C. 16) and so much of section 12 of such Act (20 U.S.C. 22) as follows the last semicolon shall not be applicable to Alaska prior to the third fiscal year which begins after the enactment of this Act.

(2) Paragraph (1) of section 2 of the Vocational Education Act of 1946 (20 U.S.C. 15i), relating to definition of States and Territories, is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(3) Subsection (e) of section 210 (20 U.S.C., supp. V, sec. 15jj(e)), and subsection (a) of section 307 of such Act (72 Stat. 1580, 1600), relating to definition of State, are each amended by striking out "Alaska,".

(c) Paragraph (13) of section 15 of the Act of September 23, 1950, as amended (72 Stat. 548, 558), relating to definition of State, is amended by striking out "Alaska,".

(d) (1) The material in the parentheses in the first sentence of subsection (d) of section 3 of the Act of September 30, 1950, as amended, relating to deter-

mination of local contribution rate, is amended to read: "(other than a local educational agency in Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency)".

(2) The fourth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the first time it appears in such sentence. The fifth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the second time it appears in such sentence.

(3) The last sentence of such subsection is amended by striking out "Alaska," and by inserting after "the Virgin Islands," the following: "or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency,".

(4) Paragraph (8) of section 9 of such Act (20 U.S.C., supp. V, sec. 244 (8)), relating to definition of State, is amended by striking out "Alaska,".

IMPORTATION OF MILK AND CREAM

SEC. 19. Subsection (b) of section 9 of the Act of February 15, 1927 (21 U.S.C. 149(b)), is amended by inserting the words ", including Alaska" immediately following the words "continental United States".

OPIUM POPPY CONTROL

SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C. 188k) is amended by deleting therefrom the words "the Territory of Alaska,".

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lauds or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lauds or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 40 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

(b) Notwithstanding any other provision of this section, any contract entered into by the Federal Government in connection with the activities of the Bureau of Public Roads in Alaska which has not been completed on the date of the transfer provided under subsection (a) hereof may be completed according to the terms thereof.

(c) (1) The State of Alaska shall be responsible for the maintenance of roads, including bridges, tunnels, and ferries, transferred to it under subsection (a) of this section, as long as any such road is needed for highway purposes.

(2) Federal-aid funds apportioned to Alaska under title 23, United States Code, for fiscal year 1960 and prior fiscal years, and unobligated on the date of enactment of this Act, may be used for maintenance of highways on the Federal-aid systems in Alaska.

(d) Effective July 1, 1959, the following provisions of law are repealed:

(1) Title 23, United States Code, section 103(f);

(2) Title 23, United States Code, section 116(d);

(3) Title 23, United States Code, section 119;

(4) Title 23, United States Code, section 120(h), except that the portion of the first sentence thereof relating to the percentage of funds to be contributed by Alaska shall continue to apply to funds apportioned to Alaska for fiscal year 1960 and prior fiscal years;

(5) Sections 107(b) and (d) of the Federal-Aid Highway Act of 1956 (70 Stat. 374, 377, 378);

(6) Section 2 of the Act of January 27, 1905 (33 Stat. 616), as amended (48 U.S.C. 322 and the following); and

(7) The Act of June 30, 1932 (47 Stat. 446), as amended (48 U.S.C. 321(a) and the following).

(e) Effective on July 1, 1959, the following provisions of law are amended:

(1) The definition of the term "State" in title 23, United States Code, section 101(a), is amended to read as follows:

"The term 'State' means any one of the forty-nine States, the District of Columbia, Hawaii, or Puerto Rico.";

(2) Title 23, United States Code, section 104(b), is amended by deleting the phrase "except that only one-third of the area of Alaska shall be included" where it appears in paragraphs (1) and (2) of said section 104(b);

(3) Title 23, United States Code, section 116(a), is amended by deleting the phrase "except as provided in subsection (d) of this section," and by capitalizing the word "it" immediately following such phrase; and

(4) Title 23, United States Code, section 120(a), is amended by deleting the phrase "subsections (d) and (h)" and by inserting in lieu thereof the phrase "subsection (d)".

INTERNAL REVENUE

SEC. 22. (a) Section 2202 of the Internal Revenue Code of 1954 (relating to missionaries in foreign service), and sections 3121(e) (1), 3306 (j), 4221(d) (4), and 4233(b) of such Code (each relating to a special definition of "State") are amended by striking out "Alaska,".

(b) Section 4262(c) (1) of the Internal Revenue Code of 1954 (definition of "continental United States") is amended to read as follows:

"(1) CONTINENTAL UNITED STATES.—The term 'continental United States' means the District of Columbia and the States other than Alaska."

(c) Section 4502(5) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Hawaii and Alaska" and by inserting in lieu thereof "the Territory of Hawaii".

(d) Section 4774 of the Internal Revenue Code of 1954 (relating to territorial extent of law) is amended by striking out "the Territory of Alaska,".

(e) Section 7621(b) of the Internal Revenue Code of 1954 (relating to boundaries of internal revenue districts) is amended to read as follows:

"(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite into one district two or more States or a Territory and one or more States."

(f) Section 7653(d) of the Internal Revenue Code of 1954 is amended by striking out "its Territories or possessions" and inserting in lieu thereof "its possessions or the Territory of Hawaii".

(g) Section 7701(a) (9) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(h) Section 7701(a) (10) of the Internal Revenue Code of 1954 (relating to definition of State) is amended by striking out "Territories" and inserting in lieu thereof "Territory of Hawaii".

(i) The amendments contained in subsections (a) through (h) of this section shall be effective as of January 3, 1959.

COURTS

SEC. 23. (a) Title 28, United States Code, section 48, is amended by striking out the word "Seattle." and inserting in lieu thereof the words "Seattle, Anchorage."

(b) Title 28, United States Code, section 81A, is amended by inserting the word "Ketchikan," immediately following the word "Juneau,".

(c) Such authority as has been exercised by the Attorney General heretofore, with regard to the Federal court system in Alaska, pursuant to section 30 of the Act of June 6, 1900 (48 U.S.C. 25), shall continue to be exercised by him after the court created by section 12(b) of the Act of July 7, 1958 (72 Stat. 339, 348), providing for the admission of the State of Alaska into the Union, is established.

(d) All balances of public moneys received by the clerks of each division of the District Court for the Territory of Alaska pursuant to section 10 of the Act of June 6, 1900, as amended (48 U.S.C. 107), which are on hand after all payments ordered by that court shall have been made, shall be covered into the Treasury of the United States as required by law, and the Secretary of the Treasury shall pay the amounts so covered, which are hereby appropriated, to the State of Alaska.

VOCATIONAL REHABILITATION ACT

SEC. 24. (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act (29 U.S.C., supp. V, sec. 41(g)), relating to definition of State, is amended by striking out "Alaska,".

(b) (1) Subsection (i) and paragraph (1) of subsection (h) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(2) Paragraph (1) of such subsection (h) is further amended by striking out "Alaska,".

(3) Such subsection (i) is further amended by striking out "Hawaii and Alaska" in clause (B) and inserting in lieu thereof "Hawaii".

GOLD RESERVE ACT

SEC. 25. Section 15 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 444), is further amended by striking out the words ", the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

SILVER PURCHASE ACT

SEC. 26. Section 10 of the Silver Purchase Act of 1934 (31 U.S.C. 448b), is amended by striking out the words ", the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

NATIONAL GUARD

SEC. 27. Title 32, United States Code, section 101(1), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii".

WATER POLLUTION CONTROL ACT

SEC. 28. (a) Paragraph (1) of section 5(h) of the Federal Water Pollution Control Act (33 U.S.C., supp. V, sec. 466d(h)(1)), relating to Federal share for purposes of matching for program operation, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out, in clause (B), "and Alaska".

(b) Subsection (d) of section 11 of such Act (33 U.S.C., supp. V, sec. 466j(d)), is amended by striking out "Alaska,".

VETERANS' ADMINISTRATION

SEC. 29. (a) Title 38, United States Code, section 903(b), is amended by striking out the words ", or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care"; by inserting the word "continental" immediately before the words "United States" the second time they appear in such section; and by inserting, immediately following the words "continental United States" in both places where they appear in such section, the parenthetical phrase "(including Alaska)".

(b) Title 38, United States Code, section 2007(c), is amended by striking out the word "Alaska,".

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

SEC. 30. (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(f)), is amended by striking out the words ", Hawaii, Alaska," and inserting in lieu thereof the words "(including Alaska), Hawaii,".

(b) Subsection (a) of section 702 of such Act (40 U.S.C., supp. V., sec. 522(a)), is amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii".

PUBLIC HEALTH SERVICE ACT

SEC. 31. (a) Subsection (f) of section 2 of the Public Health Service Act (42 U.S.C. 201(f)), relating to definition of State, is amended by striking out

"Hawaii, Alaska," and inserting in lieu thereof "Hawaii," and by striking out "the District of Columbia, or Alaska" and inserting in lieu thereof "or the District of Columbia".

(b) (1) Effective July 1, 1959, section 371 of the Public Health Service Act, as added by the Alaska Mental Health Enabling Act (42 U.S.C., supp. V, sec. 273), is repealed.

(2) Subsection (a) of section 372 of such Act (42 U.S.C., supp. V, sec. 274 (a)), is amended by striking out "the Territory of".

(3) Subsections (b), (c), and (e) of such section are each amended by striking out "the Territory" each time it appears and inserting in lieu thereof "Alaska".

(4) Such subsection (e) is further amended by striking out "the Territory's" and inserting in lieu thereof "Alaska's".

(c) (1) Subsection (a) of section 631 of such Act (42 U.S.C., supp. V, sec. 291(a)), relating to definition of allotment percentage for purposes of allotments for construction, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out "for Alaska and Hawaii shall be 50 per centum each" in clause (2) and inserting in lieu thereof "for Hawaii shall be 50 per centum".

(2) Subsection (d) of such section, relating to definition of State, is amended by striking out "Alaska,".

SOCIAL SECURITY ACT

SEC. 32. (a) Paragraph (8) of section 1101(a) of the Social Security Act (72 Stat. 1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out "Alaska and" in clause (ii) of subparagraph (A) and by striking out "(excluding Alaska)" in subparagraphs (A) and (B) and inserting in lieu thereof "(including Alaska)".

(b) (1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (B).

(2) Subsection (b) of such section, relating to definition of Federal share for purposes of matching for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (2).

(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares and allotment percentages, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(c) (1) The last sentence of section 202(i) of the Social Security Act (42 U.S.C., supp. V, sec. 402(i)), is amended by striking out "forty-eight" and inserting in lieu thereof "forty-nine".

(2) Subsections (h) and (i) of section 210 of such Act (42 U.S.C. 410(h), (i)), relating to definitions of State and United States for purposes of old-age, survivors, and disability insurance, are each amended by striking out "Alaska,".

(d) (1) Paragraph (1) of section 1101(a) of the Social Security Act (42 U.S.C., supp. V, sec. 1301(a)(1)), relating to definition of State, is amended, by striking out "Alaska, Hawaii," and inserting in lieu thereof "Hawaii".

(2) Paragraph (2) of such section (42 U.S.C. 1301(a)(2)), relating to definition of United States, is amended by striking out "Alaska,".

CONGRESSIONAL RECORD

SEC. 33. Section 73 of the Act of January 12, 1895, as amended (44 U.S.C., supp. V, sec. 183), is further amended by striking out the word "Alaska,".

FEDERAL REGISTER

SEC. 34. Section 8 of the Federal Register Act (44 U.S.C. 308) is amended by striking out the parenthetical phrase "(not including Alaska)" and inserting in lieu thereof the parenthetical phrase "(including Alaska)".

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right,

title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), which has not been completed by the date of enactment of this Act, may be completed according to the terms thereof.

SELECTIVE SERVICE

SEC. 36. Section 16(b) of the Universal Military Training and Service Act, as amended (50 U.S.C., app., sec. 466(b)), is further amended by striking out the word "Alaska,".

REAL PROPERTY TRANSACTIONS

SEC. 37. Section 43(c) of the Act of August 10, 1956 (50 U.S.C., app., supp. V, sec. 2285(c)), is amended by striking out the word "Alaska,".

RECREATION FACILITIES

SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat. 130), is hereby repealed. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1960, such sums as may be necessary to complete the construction of facilities described in section 1 of such Act, as amended by the Act of August 30, 1957 (71 Stat. 510), if construction was begun prior to June 30, 1959, and to maintain the facilities pending their transfer pursuant to such section.

AIRCRAFT LOAN GUARANTEES

SEC. 39. Section 3 of the Act of September 7, 1957 (71 Stat. 629), is amended by striking out the words "Territory of Alaska" and inserting in lieu thereof the words "State of Alaska".

TRANSITIONAL GRANTS

SEC. 40. (a) In order to assist the State of Alaska in accomplishing an orderly transition from Territorial status to statehood, and in order to facilitate the assumption by the State of Alaska of responsibilities hitherto performed in Alaska by the Federal Government, there are hereby authorized to be appropriated to the President, for the purpose of making transitional grants to the State of Alaska, the sum of \$10,500,000 for the fiscal year ending June 30, 1960; the sum of \$6,000,000 for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$2,500,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964.

(b) The Governor of Alaska may submit to the President a request that a Federal agency continue to provide services or facilities in Alaska for an interim period, pending the provision of such services or facilities by the State of Alaska. Such interim period shall not extend beyond June 30, 1964. In the event of such request, and in the event of the approval thereof by the President, the President may allocate, at his discretion, to such agency the funds necessary to finance the provision of such services or facilities. Such funds shall be allocated from the appropriations made pursuant to subsection (a) hereof, and the amount of such funds shall be deducted from the amount of grants available to the State of Alaska pursuant to such subsection.

(c) After the transfer or conveyance to the State of Alaska of any property or function pursuant to the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, or pursuant to this Act or any other law, and until June 30, 1964, the head of the Federal agency having administrative jurisdiction of such property prior to its transfer or conveyance may contract with the State of Alaska for the performance by such agency, on a reimbursable basis, of some or all of the functions authorized to be performed by it in Alaska immediately preceding such conveyance or transfer.

TRANSFER OF PROPERTY

SEC. 41. If the President determines that any function performed by the Federal Government in Alaska has been terminated by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion, transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function.

CLAIMS COMMISSION

SEC. 42. (a) In the event that any dispute arise between the United States and the State of Alaska concerning the transfer, conveyance, or other disposal of property to the State of Alaska pursuant to section 6 (a) of the Act of July 7, 1958 (72 Stat. 339, 340), providing for the admission of the State of Alaska into the Union, or pursuant to this Act, the President is authorized to appoint a temporary commission of three persons to consider, ascertain, adjust, determine, and settle such disputes. In carrying out its duties under this section, such commission may hold such hearings, take such testimony, sit and act at such times and places, and incur such expenditures as the commission deems necessary. Any settlement made by such commission under the authority of this section shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

(b) The commission may, without regard to the civil service laws and the Classification Act of 1949, employ and fix the compensation of such employees as it deems necessary to carry out its duties under this section. The commission is authorized to use the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the United States Government which it deems necessary to carry out its duties; and each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the commission upon request made by the commission. The commission shall reimburse each such department, agency, or instrumentality for the services of any personnel utilized.

(c) No member of such commission shall be an officer or employee of the United States or of the State of Alaska. Each member of the commission shall be paid compensation at the rate of \$50 per day for each day spent in the work of the commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance in accordance with the provisions of the Travel Expense Act of 1949, as amended, when away from his usual place of residence.

(d) The President is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section. There are hereby authorized to be appropriated such sums as may be necessary to enable the commission to perform its duties under this section.

EFFECTIVE DATES

SEC. 43. (a) The amendments made by paragraph (2) of subsection (a) of section 18, by subsection (a) of section 28, by paragraph (1) of subsection (c) of section 31, by subsections (a) and (b) of section 32, and, except as provided in subsection (c) of this section, by subsection (b) of section 24, shall be applicable in the case of promulgations of Federal shares, allotment percentages, allotment ratios, and Federal percentages, as the case may be, made after satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, and for this purpose such promulgations shall, before such data for the full period required by the applicable statutory provision as so amended are available from the Department of Commerce, be based on satisfactory data available from such Department for such one full year or, when such data for a two-year period are available, for such two years.

(b) The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958, for fiscal years beginning July 1, 1959, and, in the case of allotments under section 302(a) of such Act, in the case of allotments based on allotment ratios, promulgated under such section 302(a), to which the amendment made by paragraph (2) of subsection (a) of section 18 of this Act is applicable.

(c) (1) The allotment percentage determined for Alaska under section 11(h) of the Vocational Rehabilitation Act, as amended by this Act, for the first, second, third, and fourth years for which the amendments made by this Act are applicable to such section shall be increased by 76 per centum, 64 per centum, 52 per centum, and 28 per centum, respectively, of the difference between such allotment percentage for the year involved and 75 per centum.

(2) The Federal share for Alaska determined under section 11(i) of the Vocational Rehabilitation Act, as amended by this Act, for the first year for which the amendments made by this Act are applicable to such section shall be increased by 70 per centum of the difference between such Federal share for such year and 60 per centum.

(3) If such first year for which such amendments made by this Act are applicable is any fiscal year ending prior to July 1, 1962, the adjusted Federal share for Alaska for such year for purposes of section 2(b) of the Vocational Rehabilitation Act shall, notwithstanding the provisions of paragraph (3)(A) of such section 2(b), be the Federal share determined pursuant to paragraph (2) of this subsection.

(d) The amendments made by paragraphs (2) and (3) of subsection (b), by subsection (c), and by paragraph (4) of subsection (d) of section 18; by subsection (a) of section 24; by subsection (b) of section 28; by subsection (a), by subparagraphs (2), (3), and (4) of subsection (b), and by paragraph (2) of subsection (c) of section 31; by paragraph (2) of subsection (c) and by subsection (d) of section 32; and, except as provided in subsection (b) of this section by paragraph (1) of subsection (a) of section 18, shall be effective on January 3, 1959.

(e) The amendment made by paragraph (1) of subsection (c) of section 32 shall apply in the case of deaths occurring on or after January 3, 1959.

(f) The amendments made by paragraph (1) of subsection (b) and paragraphs (1), (2), and (3) of subsection (d) of section 18 shall be applicable for fiscal years beginning July 1, 1959.

DEFINITION OF "CONTINENTAL UNITED STATES"

SEC. 44. Whenever the phrase "continental United States" is used in any law of the United States enacted after the date of enactment of this Act, it shall mean the 49 States on the North American Continent and the District of Columbia, unless otherwise expressly provided.

SEPARABILITY

SEC. 45. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

EXECUTIVE OFFICE OF THE PRESIDENT,

BUREAU OF THE BUDGET,

Washington, D.C., March 24, 1959.

HON. RICHARD M. NIXON,
President of the Senate,
Washington, D.C.

MY DEAR MR. PRESIDENT: There is forwarded herewith a draft¹ of legislation to amend certain laws of the United States in the light of the admission of the State of Alaska into the Union, and for other purposes, together with a section-by-section analysis thereof.

This proposal is designed to make those changes in Federal laws which have become necessary and desirable because of Alaska's admission into the Union "on an equal footing with the other States in all respects whatever." The President recommended in his 1960 budget message that, where necessary, change should be made in Federal laws "to apply to Alaska the same general laws, rules, and policies as are applicable to other States." The proposed legislation would (1) make Alaska eligible to participate in a number of Federal grant-in-aid programs on a comparable basis with the other States; (2) terminate certain special Federal programs in Alaska; (3) authorize Federal finan-

¹ The draft referred to is identical to S. 1541, previously printed.

cial assistance to Alaska during an interim period, transfers of Federal property to the State and other measures required to facilitate an orderly transition; (4) clarify the applicability of certain laws to Alaska, and (5) eliminate inappropriate references to the "Territory of Alaska" in Federal statutes.

Alaska already participates in the majority of Federal grant-in-aid programs on the same basis as other States. There are a number of Federal grant-in-aid programs, however, where Alaska is still accorded, as it was when a Territory, treatment different from that of other States. We believe that Alaska, as a full and equal member of the Union, should not receive more or less favorable treatment than other States under these programs. The proposed legislation, therefore, would amend pertinent laws providing Federal assistance for national defense education, vocational education, school construction and operation in federally affected areas, highway construction, vocational rehabilitation, water pollution control, hospital and medical facilities construction, old-age assistance, aid to dependent children, aid to the blind, aid to the permanently and totally disabled, and child welfare services to bring Alaska under the apportionment and matching formulas applicable to all other States as soon as possible. Since the 1960 apportionments have already been made, Alaska would not participate in the Federal aid highway program on an equal basis until 1961. Transitional provisions have been included in the proposed amendments to the Smith-Hughes Act, which authorizes grants for vocational education, and the Vocational Rehabilitation Act so as to minimize the effects of any program adjustments which may be required during the transitional period. Those special Federal grants which apply only to Alaska for general and mental health and construction of recreation facilities would be terminated.

The Federal Government at present constructs and maintains highways, operates commercial airports and provides a number of other services and facilities in Alaska normally furnished by State and local governments. The President stated in his 1960 budget message that, in the longrun interest of both the State and the Nation, "the Federal Government should not continue special programs in Alaska which, in other States, are the responsibility of State and local governments or of private enterprise." Since some time necessarily will elapse before Alaska can benefit fully from the revenues to be derived from public lands and other resources to be made available to the State by the Statehood Act, the President recommended that "the Federal Government should provide such financial assistance as is necessary to facilitate transfer to the State of such programs as highway construction and maintenance, airport operations, and public health services." If such assistance were not provided, the Federal Government would be faced with the undesirable alternative for postponing transfer of these functions to the State for an indefinite period. The proposed legislation, therefore, would authorize the payment of transitional grants to the State of Alaska in an amount of \$10.5 million for the fiscal year 1960 and in declining amounts for the subsequent 4 years. In addition, to assist the State in establishing its court system, the draft bill would transfer to the State any outstanding balances in the accounts of the clerks of the Territorial courts at such time as the Federal District Court for Alaska is established. Under the proposed legislation Alaska could choose between receiving the entire transitional grant and administering the transferred programs directly or by contract with a Federal agency, or requesting that a portion be used for financing continued Federal operations during an interim period. Expenditures for the transitional grants to Alaska would be offset to a large extent by the elimination of existing special Federal programs in Alaska.

It is recognized that Alaska will require not only financial assistance, but also facilities and equipment, if it is expeditiously to assume responsibility for functions now performed by the Federal Government. The Statehood Act provides that U.S. property situated in Alaska which is used for the purpose of conservation and protection of fisheries and wildlife in Alaska shall be transferred to the State without reimbursement. The proposed legislation would authorize the President to make similar transfers of property and equipment in any case where the State assumes responsibility for functions formerly performed by the Federal Government. In the event of differences between the Federal Government and Alaska concerning property transfers, the President would be authorized to appoint a temporary three-member commission to hear and settle the disputes.

As a consequence of Alaska's changed status, it is believed appropriate to require the Court of Appeals for the Ninth Circuit to hold sessions in Alaska

annually. Under the proposed legislation that court, which is now required by law to hold sessions each year in San Francisco, Los Angeles, Portland, and Seattle, would be required to hold sessions in Anchorage. The proposed legislation further provides that the U.S. District Court for the District of Alaska shall hold sessions in Ketchikan, as well as at Anchorage, Fairbanks, Juneau, and Nome.

The proposed legislation would extend the applicability of certain Federal laws to Alaska. These include the Sugar Act, a portion of the Investment Company Act of 1940 not hitherto applicable to certain Alaska companies, the act of June 8, 1940 (protection of bald eagles), the Federal Youth Corrections Act, certain provisions relating to parole, a statute relating to the transportation of bodies of veterans who have died in Veterans' Administration facilities, and section 29 of the Federal Register Act (notice of hearings). The draft bill would also amend the Statehood Act to clarify Federal jurisdiction over public domain lands; provide for the termination of certain territorial laws administered by Federal agencies; and clarify the applicability to Alaska of the statute regarding the importation of milk and cream and the nonapplicability of the tax on transportation; provide for the transfer of the Anchorage and Fairbanks airports to the State; and provide a definition to be applicable in the future of the term "continental United States." Several of the provisions of the draft bill are essentially technical and perfecting in nature and either eliminate inappropriate references to Alaska or make other language changes which are considered appropriate because of Alaska's changed status.

The Bureau of the Budget urges early and favorable consideration of the proposed legislation, since its enactment is required to assure continuity of a number of essential public services in Alaska and to provide for the orderly transition of Alaska from territorial status to statehood.

Sincerely yours,

MAURICE H. STANS, *Director.*

SECTIONAL ANALYSIS

SHORT TITLE

Section 1 provides that the act may be cited as the Alaska Omnibus Act.

FEDERAL JURISDICTION

Section 2 would amend section 4 of the Statehood Act. Section 4 now provides, in pertinent part, that Alaska and its people disclaim any right (a) to any lands in Alaska the right or title to which is now held by the United States, except for land granted to Alaska by the Statehood Act, and (b) to land and property held by Alaska natives or held in trust by the United States for such natives. The section further provides that "all such lands * * * shall be and remain under the absolute jurisdiction and control of the United States". It was intended that such absolute jurisdiction would apply to native lands only ((b) above), but the language actually enacted appears to comprehend the lands described in both (a) and (b). The amendment would make clear that "the absolute jurisdiction and control of the United States" does not apply generally to land held by the United States in Alaska, but only to land and property held by natives or by the United States in trust for natives.

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

Section 3 provides a date on which certain laws enacted by the Congress, relating to the regulation of commerce within Alaska, shall cease to apply to the State of Alaska. Section 8(d) of the Statehood Act provides that a law "enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union" shall be regarded as a territorial law and that such a law shall continue in force and effect throughout the State except as modified or changed by action of the State legislature. The foregoing language has been interpreted by the executive branch of the Federal Government as continuing in effect in the State of Alaska those portions of United States laws which provide for the regulation of intraterritorial commerce by agencies of the United States. In the language of section 8(d), such laws will continue in effect "except * * * as modified or changed by the legisla-

ture of the State." In order to make explicit the date such laws of the United States shall cease to be applicable, this section of the bill provides that, either (a) on July 1, 1961, or, if it occurs earlier, (b) on the effective date of any State law relating to the same subject matter as the pertinent law of the United States, such law of the United States shall cease to apply. In the absence of an explicit date, considerable confusion might arise as to the continued responsibility of a Federal agency. The section makes clear that such Federal responsibility will cease whenever the State takes legislative action in a field formerly regulated by the United States.

SUGAR ACT

Section 4 amends the Sugar Act by providing a definition of the term "continental United States". In the absence of such a definition, the term has been administratively construed to exclude the Territory of Alaska. The new subsection would make clear that it includes the 49 States and the District of Columbia. As a result, the determinations by the Secretary of Agriculture concerning sugar requirements in the continental United States will henceforth include the requirements of Alaska. Thus, sugar either imported or marketed for shipment into Alaska will be charged against a quota.

SOIL BANK ACT

Section 5 would perpetuate in the State of Alaska the treatment accorded to the Territory of Alaska under the conservation reserve program of the Soil Bank Act. The act has no practical application to Alaska at this time and is not now being administered there. This condition is likely to continue for the foreseeable future. Consequently, the amended provision concerning the geographical application of the program would make clear that the conservation reserve program of the Soil Bank Act applies to Alaska only if the Secretary of Agriculture determines that such application would be in the national interest.

ARMED FORCES

Section 6 would provide in subsection (a) a perfecting amendment to title 10 of the U.S. Code by amending the definition of the term "Territory" to delete the existing reference to Alaska. Subsection (b) would amend two definitions in article 2 of the Uniform Code of Military Justice which describe persons subject to the code. Under the definitions in existing law, "persons serving with, employed by, or accompanying the armed forces" and "persons within an area leased by or otherwise reserved or acquired for the use of the United States" are subject to the code if they are outside that part of Alaska east of longitude 172 degrees west, the Canal Zone, Hawaii, Puerto Rico, the Virgin Islands, and Guam. The amendments in subsection (b) would have the effect of according the same treatment to such persons in Alaska west of the 172d meridian as is already accorded to those east of it. Subsection (c) strikes the special and now unnecessary reference to Alaska in a section which comprehends all of the States.

NATIONAL BANK ACT

Section 7 relates to the reserve balances required of national banks that are not members of the Federal Reserve System and that are located in Alaska or outside the continental United States. Because section 19 of the Alaska Statehood Act requires that all national banks in Alaska be members of the Federal Reserve System, section 5192 of the Revised Statutes no longer has application to Alaska, and this section of the proposed bill would thus eliminate the reference to it.

FEDERAL RESERVE ACT

Section 8 provides two perfecting amendments to the Federal Reserve Act, to reflect Alaska's inclusion in the Federal Reserve System pursuant to section 19 of the Statehood Act.

HOME LOAN BANK BOARD

Section 9 would provide perfecting amendments to two statutes administered by the Federal Home Loan Bank Board. The Federal Home Loan Bank Act and the Homeowners' Loan Act of 1933 would each be amended by striking references to Alaska as a Territory.

NATIONAL HOUSING ACT

Section 10 provides amendments to the National Housing Act. The amendments would have the effect of perpetuating in the State of Alaska the treatment received by Alaska as a territory.

COAST GUARD

Section 11 would amend the provision of law authorizing the appointment of commissioned officers of the Coast Guard as U.S. Commissioners or U.S. deputy marshals in Alaska. The amendment is perfecting only and removes references to "the Territory of" Alaska.

SECURITIES AND EXCHANGE COMMISSION

Section 12 provides amendments to certain statutes administered by the Securities and Exchange Commission. Those contained in subsections (a) through (d) are perfecting only, merely removing unnecessary references to Alaska in definitions of the term "State." Subsection (e) would amend a section of the Investment Company Act of 1940, which provides an exemption from the provisions of the act to companies organized under the laws of the territories and possessions which confine offerings of their securities to residents of such Territories or possessions. The effect of the amendment would be to remove Alaska from the areas (all of which are Territories and possessions) to which the special exemption applies, and to accord to it the same treatment as the other States receive.

SOIL CONSERVATION

Section 13 would amend two provisions of the Soil Conservation and Domestic Allotment Act. Section 8(b) of that act requires that, in the administration of the law "in the continental United States," the Secretary of Agriculture must use county committees, and that no committee may represent more than one county or parts of different counties. Heretofore the term "continental United States" has been administratively construed to exclude Alaska, with the result that, in Alaska, three committees only are now in operation, each serving an area which includes more than one county or parts of different counties. With statehood, Alaska may now be regarded as within the continental United States. If so, adherence to section 8(b) would require the establishment of far more committees in Alaska than would be suitable for Alaska's relatively small program. Therefore, subsection (a) of this section of the bill would remove the requirement with respect to the areas represented by committees in the case of Alaska. Subsection (b) is a perfecting amendment, designed only to reflect Alaska's new status.

BALD EAGLES

Section 14 amends the statute providing protection to bald eagles. Existing law protects the bald eagle "within the United States or any place subject to the jurisdiction thereof, except the Territory of Alaska". Because the bald eagle is now virtually extinct except in Alaska, the protection afforded by the statute should apply to Alaska as well. The amendment contained in this section would achieve that result.

WILDLIFE RESTORATION

Section 15 would amend the statute providing grants to the States and Territories for wildlife restoration in order to remove references to the Territory of Alaska from the section relating to grants to the Territories. The amendments are perfecting only, since Alaska will necessarily be accorded the treatment of a State as a result of the Statehood Act.

FISH RESTORATION

Section 16 would amend the statute providing grants to the States and Territories for fish restoration in order to remove references to the Territory of Alaska from the section relating to grants to the Territories. The amendments are perfecting only, since Alaska will necessarily be accorded the treatment of a State as a result of the Statehood Act.

CRIMINAL CODE

Section 17 provides amendments to the Federal Youth Corrections Act and to a 1958 statute relating to parole, which, under the terms of existing law, apply "in the continental United States other than Alaska." When the United States District Court for the District of Alaska is established, pursuant to the Statehood Act, such laws should apply to the State. Subsection (c) provides that the application of the laws in question to Alaska will commence on that date.

EDUCATION

Section 18 provides certain amendments to the laws relating to education.

Subsection (a), relating to the National Defense Education Act of 1958, amends section 103(a), section 302(a)(3), and section 1008 of the act (20 U.S.C.A., secs. 403(a), 442(a)(3)(B), and 588), so as to eliminate the special treatment of Alaska. The amendment to section 302(a)(3) would eliminate the exclusion of Alaska from the continental United States for purposes of determining the allocation of funds to States for acquisition of mathematics, science, or modern foreign language equipment. The amendments to sections 103(a) and 1008 would put Alaska on the same basis as the other States for purposes of allocations of funds for the acquisition of such equipment, allocations of funds for State programs for expansion or improvement of public school supervisory services in mathematics, science, or modern foreign language, and allocations of funds for counseling and guidance and testing programs.

Under section 43, these amendments would be effective in the case of allotments for acquisition of equipment based on allotment ratios which are promulgated after per capita income data for Alaska for a full year are available from the Department of Commerce. They would be effective in the case of allotments for State programs of expansion or improvement of supervisory services, or for counseling and guidance and testing programs, for fiscal years beginning July 1, 1959.

Subsection (b), in paragraph (1), relating to vocational education, amends section 4 of the Smith-Hughes vocational education law. This section provides for allotments to the States for teacher-training in agriculture, trades and industries, and home economics, and includes an authorization of separate appropriations for the \$10,000 minimum allotment provided for the States for this purpose. The \$90,000 authorized for the latter purpose would be insufficient to provide the minimum for Alaska as well as the other States, and hence it would be increased by the bill to \$98,500.

In order to qualify for funds allocated under this law for vocational education in the field of agriculture, trades and industries, or home economics, a State must "have taken advantage of" an amount at least equal to the minimum allotment for teacher-training in that field. In addition, the law requires at least 20 percent of a State's allotment for teacher-training to be expended in each of the three fields and places a limitation of 60 percent of the teacher-training allotment on the amount which may be expended in any one of the three fields. These requirements and limitations would be made inapplicable to Alaska until the third fiscal year which begins after the enactment of the bill. Similar treatment was accorded the other States when the law was first enacted at which time they were given a 9-year grace period during which these provisions were not applicable.

Subsection (b), in paragraphs (2) and (3), also amends the Vocational Education Act of 1946 to eliminate from the definitions of "State" and "States and Territories," the specific mention of Alaska. These are purely technical amendments.

Subsection (c), relating to school construction assistance in federally affected areas, amends paragraph (13) of section 15 of Public Law 815 (81st Cong.), as amended (20 U.S.C.A., sec. 645(13)), which defines the term "State." The amendment would eliminate the specific reference to Alaska. This is a purely technical amendment.

Subsection (d), relating to school operation assistance in federally affected areas, amends section 3(d) of Public Law 874 (81st Cong.), as amended (20 U.S.C.A., sec. 238(d)). This section of the law sets forth the method of determining the local contribution rate used in computing the amount of the payments to local school districts on account of federally connected children attending their schools. The determination of the rate for the Territories, including Alaska, is, however, separately provided for, with the Commissioner of Education authorized to make the determination consistent with the policies and

principles provided for the determination of the rate in the case of school districts in other States.

The amendments to this section of the law would eliminate the specific mention of Alaska as one of the "States" to whom the specific provision applies, but would make the special provision applicable to any State in which a substantial portion of the land is in unorganized territory for which a State agency is the local educational agency. This would include Alaska at the present time and probably for the next 15 or 20 years. It might conceivably include also other States, although this is not likely. Consequently, the amendments will not have any practical effect upon Alaska in the foreseeable future. These amendments would also specifically include Alaska in the continental United States for purposes of determining the average per pupil expenditure therein, which is used, in turn, in determining the minimum local contribution rate.

These amendments would, under section 43, be applicable beginning with the next fiscal year.

Subsection (d) (4) of section 18 of the bill also amends paragraph (8) of section 9 of Public Law 874 which defines the term "State." The amendment would eliminate the specific reference to Alaska. This is a purely technical amendment.

IMPORTATION OF MILK AND CREAM

Section 19 would make clear that the act of February 15, 1927, which regulates the importation of milk and cream into the "continental United States," applies to Alaska.

OPIUM POPPY CONTROL

Section 20 would provide a perfecting amendment to the Opium Poppy Control Act of 1942. It would strike a new superfluous reference to the Territory of Alaska.

HIGHWAYS

Section 21 would provide for the assumption by the State of Alaska of the functions now performed by the other States in connection with the construction and maintenance of roads. It would direct the Secretary of Commerce to transfer to Alaska without compensation, but subject to conditions which he may deem desirable, all of the real and personal property now held by the Bureau of Public Roads in connection with its current responsibilities in Alaska, except for such property as the Bureau will require in continuing to perform in Alaska, as elsewhere in the States, its usual Federal functions and functions for which the State may contract under section 40(c), and except for lands which must be retained for purposes other than or in addition to road purposes. It is intended that the date of transfer be July 1, 1959, if practicable, or as soon thereafter as would be practicable. Henceforth Alaska will be responsible for road maintenance, as it has not been in the past. However, Alaska would be able to utilize Federal-aid funds apportioned for the fiscal year ending June 30, 1960, and prior years, and unobligated on the date of passage of this act, for maintenance during fiscal years 1960, 1961, and 1962. To assist it in road construction, the section further provides for the extension to Alaska of the laws relating to Federal aid for highways on the same terms as are applicable to the other States. Citations within the section are keyed to Public Law 85-767, approved August 27, 1958.

INTERNAL REVENUE

Section 22 contains amendments to the Internal Revenue Code of 1954. All except for that contained in subsection (b), are perfecting in nature, merely removing references to Alaska which are now superfluous. Subsection (b) relate to the definition of the phrase "continental United States" for purposes of the transportation tax. The explicit terms of existing law (i.e., the "continental United States" means "the existing 48 States and the District of Columbia") excluded the Territory of Alaska, with the result that a partial exemption from the tax was permitted for trips between the Territory of Alaska and the States. The effect of the amendment contained in subsection (b) will be to accord to Alaska, as a State, the same treatment it received as a Territory, and thus to preserve a distinction between Alaska and the other States. The Treasury Department has concluded that it would be contrary to the intent of the Congress, as expressed in 1956, to remove this partial exemption. The exemption was inserted in the law in 1956 in recognition of the fact that Alaska

(and Hawaii) were far removed from the States and that transportation between the States and those two Territories involved travel over the high seas and/or a foreign country. When the exemption amendment was considered in the Senate, the possible effect of future statehood was discussed in a memorandum submitted by Senator Morse (Congressional Record, Mar. 29, 1956, p. 5212). His statement asserted that statehood should not change the exemption. On this basis, the Treasury Department considers that the partial exemption continues, notwithstanding Alaska's admission to the Union. Enactment of subsection (b) would confirm that conclusion.

COURTS

Section 23, in subsection (a), amends the judicial code so that the Court of Appeals for the Ninth Circuit will be required to hold sessions in Anchorage annually. That court is now by law required to hold sessions each year in San Francisco, Los Angeles, Portland, and Seattle. Subsection (b) amends the judicial code to provide that the Federal district court for the district of Alaska shall be held in Ketchikan. Subsection (c) would perpetuate the authority of the Attorney General to fix fees and allowances for witnesses in connection with the Federal court in Alaska. Current fees and allowances, established pursuant to 48 U.S.C., section 25, are set forth at 28 CFR 21.3. Fees and allowances for witnesses in Federal courts, excluding Alaska, are set forth at 28 U.S.C., section 1821. Under the provision of subsection (c) of this section of the bill, Alaska would continue to be excluded from section 1821 of title 28. Subsection (d), in effect, provides for the transfer to the States of moneys, derived from court fees and fines, held by the clerks of the district court of the Territory.

VOCATIONAL REHABILITATION ACT

Section 24 relates to vocational rehabilitation.

Subsection (a) amends section 11(g) of the Vocational Rehabilitation Act. This section of the act defines the term "State." The amendment would eliminate the specific reference to Alaska and is a technical amendment.

Subsection (b) amends subsections (h) and (i) of section 11 of the Vocational Rehabilitation Act. These subsections define the terms "allotment percentage" and "Federal share." The amendments would eliminate the special provisions under which the allotment percentage for Alaska is set at 75 percent and the Federal share at 60 percent, and would provide for the determination of these to be made in accordance with the relative per capita income of Alaska, as is done in the case of other States. The amendments would also eliminate the exclusion of Alaska from the continental United States for purposes of determining the allotment percentages and Federal shares for the States. Under section 43 of this bill, the above amendments would be applicable to allotment percentages and Federal shares promulgated after there are available per capita income data for Alaska for a full year from the Department of Commerce, and following a short transition period.

GOLD RESERVE ACT

Section 25 would remove a now obsolete reference to the Territory of Alaska contained in the Gold Reserve Act of 1934.

SILVER PURCHASE ACT

Section 26 would remove a now obsolete reference to the Territory of Alaska contained in the Silver Purchase Act of 1934.

NATIONAL GUARD

Section 27 would provide a perfecting amendment to the definition of "Territory" for purposes of title 32 of the United States Code, relating to the National Guard.

WATER POLLUTION CONTROL ACT

Section 28 provides certain amendments to the Water Pollution Control Act. Subsection (a) of this section amends section 5(h)(1) of the Federal Water Pollution Control Act. This section defines the term "Federal share" which is used for determining the portion of the cost of the water pollution control pro-

gram in each State which will be borne by the Federal Government. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definition, no longer be excluded from the continental United States and would have its Federal share determined, as in the case of the other States, on the basis of its relative per capita income.

Under section 43, these amendments would be effective for promulgations of the Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (b) of this section of the bill amends section 11(d) of the Federal Water Pollution Control Act, which defines "State," to eliminate the special mention of Alaska. This is a purely technical amendment.

VETERANS' ADMINISTRATION

Section 29(a) relates to the authority of the Veterans' Administration under section 903(b) of title 38 (Public Law 85-857), to transport the bodies of veterans who have died in VA facilities. Existing law provides that (a) when a death occurs in the continental United States, transportation may be provided "to the place of burial in the United States"; (b) when a death occurs in the continental United States, transportation may be provided to the place of burial within Alaska if the deceased was an Alaska resident and if he had been brought to the United States for VA hospital care; and (c) when a death occurs in a Territory, Commonwealth, or possession, transportation may be provided to the place of burial within such Territory, Commonwealth, or possession. Under existing law therefore, no explicit provision is included for the transportation of deceased veterans from Alaska to the other States, although the statute might reasonably be construed, as a consequence of Alaska's admission, to permit this result. Similarly, there is no explicit provision for the transportation of deceased veterans from the other States to Alaska, in the absence of a finding that the deceased was an Alaska resident brought to another State for care. Section 29(a) of the proposed bill would make both of these results certain, and in so doing would remove the statutory distinctions between Alaska and the other States. Subsection (b) is a perfecting amendment only.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

Section 30 provides two perfecting amendments to the Federal Property and Administrative Services Act. The first would make clear that the term "continental United States" includes Alaska, and the second would remove an unnecessary reference to Alaska in the definition of the term "State."

PUBLIC HEALTH SERVICE ACT

Section 31 provides certain amendments to the Public Health Service Act.

Subsection (a) amends section 2(f) of the Public Health Service Act which defines the term "State" for purposes of the act. This is a purely technical amendment eliminating the specific inclusion of Alaska as a State.

Subsection (b) would repeal section 371 of the Public Health Service Act relating to the Alaska mental health program. Section 371 authorizes grants totaling \$4 million for the fiscal years 1960 through 1967 for the administration of Alaska's mental health program. The subsection also amends section 372 of such act, relating to the grant already made for the construction of a hospital and related facilities for the care of the mentally ill. The amendments to section 372 eliminate references to Alaska as a Territory.

Subsection (c), relating to hospital and medical facilities construction, amends section 631(a) of the Public Health Service Act. This section describes the method of determining allotment percentages which are used in the allocation of the appropriations for hospital and medical facilities construction under title VI of the Public Health Service Act. They are also used in connection with determining the Federal share of the cost of construction. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of determining the allotment percentages, no longer be excluded from the continental United States and would have its percentage based, as in the case of the other States, on its relative per capita income. Its Federal share would also be determined in the manner provided for the other States.

Under section 43, these amendments would be applicable in the case of promulgations of allotment percentages and Federal shares made after per capita

income data for Alaska for a full year are available from the Department of Commerce.

Subsection (c) also amends section 631(d) of the Public Health Service Act, which defines the term "State", to eliminate the specific reference to Alaska. This is a technical amendment.

SOCIAL SECURITY ACT

Section 32 provides certain amendments to the Social Security Act.

Subsection (a), relating to public assistance, amends section 1101(a)(8) of the Social Security Act (20 U.S.C.A. 1301(A)(8)). This section defines the term "Federal percentage" which is used in determining the portion of the expenditures in each State for old-age assistance, aid to dependent children, aid to the blind, or aid to the permanently and totally disabled which will be borne by the Federal Government. The amendments would eliminate the special treatment for Alaska so that Alaska would for purposes of the definition, no longer be excluded from the continental United States and would have the determination of its Federal percentage made, as in the case of the other States, on the basis of its relative per capita income.

These amendments to section 1101(a)(8) of the Social Security Act would, under section 43 of the bill, be effective for promulgations of the Federal percentages made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (b), relating to child welfare services, amends section 524 of the Social Security Act (42 U.S.C.A., 724). This section defines the terms "allotment percentage" and "Federal share" for purposes of determining the allocation of the appropriations for child welfare services under part 3 of title V of the Social Security Act among the States and the portion of the expenditures for this purpose in each State which will be borne by the Federal Government.

The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definitions, no longer be excluded from the continental United States and would have the determinations of its allotment percentage and its Federal share made, as in the case of the other States, on the basis of its relative per capita income.

The amendments made by this subsection of the bill would, under section 43 of the bill, be effective for promulgations of allotment percentages and Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (c), relating to old-age, survivors, and disability insurance amends the last sentence of section 202(i) of the Social Security Act. This section of the act provides for lump-sum payments in certain cases of death of an individual insured under the old-age, survivors, and disability insurance program. The application for such payments must be filed within 2 years of the date of death, except that, in the case of the death outside the 48 States and the District of Columbia of a member of the Armed Forces (including commissioned officers of the Public Health Service and the Coast and Geodetic Survey) who is "returned" to any of the 48 States, the District, or any United States Territory or possession for interment or reinterment, the 2-year period begins with such interment or reinterment. This special treatment would no longer be provided in the case of deaths in Alaska. It should be noted that the 2 years may be extended for as much as an additional 2 years if good cause for the failure to file within the initial 2-year period is shown.

The subsection (c) (1) amendment would, under section 43 of the bill, be effective in the case of deaths occurring on or after January 3, 1959.

Subsection (c) of the bill also amends subsections (h) and (i) of section 210 of the Social Security Act which define "State" and "United States" for purposes of the old-age, survivors, and disability insurance program. These are purely technical amendments, eliminating the specific inclusion of Alaska as a State, since this inclusion became automatic upon Alaska's admission to the Union.

Subsection (d) amends paragraphs (1) and (2) of section 1101(a) of the Social Security Act which define "State" and "United States" for purposes of the act. These are technical amendments.

CONGRESSIONAL RECORD

Section 33 amends the law relating to the gratuitous distribution of copies of the Congressional Record. Existing law provides that the Governors of the States shall receive one copy in both daily and bound form, while the Governors

of the Territories receive five in both daily and bound form. The amendment would strike the reference to Alaska in the latter provision so that the Governor of the new State would be accorded the treatment of a State Governor rather than a Territorial Governor.

FEDERAL REGISTER

Section 34 amends the Federal Register Act so that henceforth publication in the Federal Register of notice of hearing will be regarded as notice to persons residing in Alaska, as well as elsewhere in the mainland United States. Under circumstances described in the statute, such publication is, under existing law, adequate with respect to residents of the continental United States, excluding Alaska. The amendment would extend the provision to Alaska as well.

AIRPORTS

Section 35(a) would authorize and direct the Administrator of the Federal Aviation Agency to convey to the State of Alaska, without reimbursement, the airports at Anchorage and Fairbanks which were constructed and have been operated and maintained by the United States under the act of May 28, 1948. Subsection (b) would permit completion of certain FAA contracts following such conveyance.

SELECTIVE SERVICE

Section 36 would remove an unnecessary reference to Alaska in the section of the Universal Military Training and Service Act which defines the term "United States." The amendment is perfecting only.

REAL PROPERTY TRANSACTIONS

Section 37 amends the statute which requires the Director of the Office of Civil and Defense Mobilization to come into agreement with the Armed Services Committees of the Congress with respect to certain real property transactions. The amendment would merely remove a superfluous reference to Alaska.

RECREATION FACILITIES

Section 38 relates to the statute which authorizes the Secretary of the Interior to construct public recreation facilities in Alaska. As enacted in 1956, the law authorizes the appropriation of \$100,000 each year for the 5 fiscal years ending June 30, 1961, for the construction and maintenance of such facilities, and provides for their transfer to Alaskan agencies or communities. The effect of the provision contained in section 38 is to terminate the existing authorization for appropriations and to substitute for it an authorization of funds for 1 fiscal year only. Such funds could be expended only for the completion of projects begun prior to June 30, 1959, but not completed by that date, and for the maintenance of facilities constructed under the act pending their transfer to Alaska.

AIRCRAFT LOAN GUARANTEES

Section 39 would provide a perfecting amendment to the 1957 statute (set out as a note following 49 U.S.C., Sup. V, sec. 425) which authorizes loans for the purchase of aircraft and equipment.

TRANSITIONAL GRANTS

Section 40 in subsection (a) authorizes the appropriation to the President of funds to be used for transitional grants to the State of Alaska for fiscal years 1960 through 1964. \$10,500,000 grant is authorized for 1960, \$6 million for 1961 and for 1962, and \$2,500,000 for 1963 and for 1964. The grants would not be earmarked and would be available as a general supplement to the financial resources of the State. The amounts appropriated for transitional grants would be offset to a large extent by the elimination of appropriations for a number of activities which the Federal Government would have continued to finance in Alaska had it remained a Territory. Those include appropriations for capital improvements at Anchorage and Fairbanks airports; operation and maintenance of intermediate airports; special grants for mental and general health; and construction of recreational facilities. There was also taken into account the fact that Federal-aid highway funds allocated to Alaska after 1960 will not be available for road maintenance and that Alaska would receive revenues from the Federal airports transferred to it.

Subsection (b) would allow the Governor of Alaska to request that a Federal agency continue to provide services and facilities in Alaska for a limited period, pending the taking over of such responsibilities by the State. In the event that the Governor's request is approved, funds for the provision of the services or facilities by the Federal agency would be allocated to it from the grants appropriated under subsection (a), and the grant Alaska receives for the pertinent fiscal year would be correspondingly reduced.

Subsection (c) would authorize the head of a Federal agency, who has transferred to the State of Alaska property or functions pursuant to either the Statehood Act, this bill, or another law, to contract with the State for the continued performance by his agency of functions authorized to be performed by it in Alaska preceding such transfer. The authority would expire June 30, 1964. The State would be required to reimburse the Federal agency for the functions performed by it under contract.

TRANSFER OF PROPERTY

Section 41 would authorize the President to give to the State of Alaska any property owned or held by the United States in Alaska and used in connection with functions performed by the Federal Government which have been taken over by the State. The authority would terminate July 1, 1964.

CLAIMS COMMISSION

Section 42 provides for the establishment, should the need arise, of a temporary three member commission to hear and settle any dispute between the Federal Government and Alaska concerning the transfer of Federal property to the State. In both the Statehood Act (notably section 6(e)), and this bill (see sections 21, 35, and 41), provision is made for the transfer or conveyance of certain Federal property to Alaska. If the respective governments should not agree as to what property is comprehended by such sections, the President would be authorized to appoint a temporary commission to settle the dispute. The commission would make no money settlements, but would merely decide which jurisdiction is entitled to the disputed property. Members would receive \$50 per day, would be reimbursed for travel, and would receive a per diem allowance when away from their usual places of residence.

EFFECTIVE DATES

Section 43 contains the effective dates for the various amendments to the laws establishing the grant programs of the Department of Health, Education, and Welfare. Most of these provisions have been discussed in relation to the sections amending the pertinent statutes. In addition, subsection (a) of this section provides that where the statutory provisions amended require the allotment percentage, allotment ratio, Federal percentage, or Federal share to be based on per capita income data for a specified period, the determinations will be based, prior to the time when data for the required period are available, on data for the 1-year or 2-year period for which such data are available.

DEFINITION OF "CONTINENTAL UNITED STATES"

Section 44 provides that, when the phrase "continental United States" is used in Federal laws enacted after the date of enactment of this bill, the phrase shall mean the 49 States of the North American continent and the District of Columbia.

SEPARABILITY

Section 45 provides a separability clause.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, April 22, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR MR. CHAIRMAN: Your letter of April 2, 1959, acknowledged April 6, requests our report on S. 1541.

We earlier reported to the Director, Bureau of the Budget, on the draft bill which in substance was introduced as S. 1541. Our principal concern then and now is with the subject matter of section 42. That section provides for the creation of a Claims Commission by the President, to settle finally and conclusively disputes between the United States and State of Alaska concerning the transfer, conveyance, or other disposition of property under section 6(e) of the act of July 7, 1958, 72 Stat. 339, 340, or under S. 1541, should it be enacted into law.

Representatives of the Bureau of the Budget have assured us that there will be no authority in any such Commission to effect money settlements. However, we find nothing in the language of section 42 which would preclude such settlements and, therefore, we recommend the insertion of such language as may be necessary to clearly negative that purpose. Should it be the intent of the bill to authorize payments in compromising disputes we urge that any such payments be subject to audit by the General Accounting Office.

In compliance with a request by Mr. Stewart French, committee counsel, we enclose copies of our decisions on questions arising from the admission of the Territory of Alaska to statehood. In addition there are pending several cases regarding the effect on Federal statutes of the admission of Alaska and when decisions are reached in those cases, we will send copies of them to you.

If we may be of further assistance concerning this bill, please let us know.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., May 1, 1959.

HON. JAMES E. MURRAY,
Chairman, Senate Interior and Insular Affairs Committee,
Washington, D.C.
(Attention Mr. Stewart French, Committee Counsel).

DEAR SENATOR MURRAY: We refer to your letter of April 23, in which you ask what laws, if any, have been enacted by Congress in the past, extending special benefits to States newly admitted into the Union to take care of special circumstances that may have existed—in other words—are there any precedents for S. 1541?

Actually we find no law which would serve as a precedent for this bill. And this is presumably due to the fact that legislation providing for benefits to the States, such as are referred to in the Alaska Omnibus Act (vis., insurance of mortgages, rentals, etc., under the National Housing Act; protection of interests of investors under the Securities and Exchange Act; grants of aid under the soil conservation program begun in 1935; wildlife and fish restoration under acts of 1937 and 1950; and grants to States for vocational rehabilitation services) has been enacted and developed only since the latest State was admitted nearly 50 years ago.

A check has been made of the laws enacted for the 5-year period following the admission of the States of Arizona and New Mexico into the Union, and the only provisions in the nature of aid were those appropriating sums for expenses in connection with elections for the constitutional conventions held pursuant to the enabling acts. We attach a report prepared in the American Law Division, which shows similar appropriations made for the last five States admitted, before the admission of Alaska.

Sincerely yours,

HUGH L. ELSBREE, *Director.*

THE LIBRARY OF CONGRESS

WASHINGTON, D.C.

APPROPRIATIONS MADE BY CONGRESS FOR EXPENSES IN CONNECTION WITH THE
ADMISSION OF ARIZONA, NEW MEXICO, OKLAHOMA, IDAHO, AND WASHINGTON

ARIZONA

Enabling act of June 20, 1910 (36 Stat. 578 sec. 35), appropriated the sum of \$100,000 for expenses in connection with the elections and convention held pursuant to the act.

The Deficiency Appropriation Act of August 26, 1912, (37 Stat. 606) authorized the Secretary of the Interior to pay to the Governor of the State of Arizona any unused balance of the \$100,000, for use of election expenses of the first State election.

NEW MEXICO

Enabling act of June 20, 1910 (36 Stat. 568 sec. 17), appropriated the sum of \$100,000 for expenses in connection with the elections and convention held pursuant to the act.

The Deficiency Appropriation Act of August 26, 1912 (37 Stat. 606), directed the Secretary of the Interior to pay over to the State of New Mexico, the sum of \$14,825.62, being the unexpended balance of the \$100,000 for repayment of expenses incurred by the State in matters relating to the election and constitutional convention.

OKLAHOMA

The enabling act of June 16, 1906 (34 Stat. 271 sec. 5), appropriated the sum of \$100,000 for defraying expenses of elections and convention provided for in the act.

IDAHO

The act providing for admission of the State into the Union (26 Stat. 217 sec. 15) appropriated the sum of \$28,000, for paying expenses of the convention and elections which were held.

Any part of this money not needed for such purpose, was to be covered into the Treasury of the United States.

WASHINGTON, MONTANA, AND NORTH AND SOUTH DAKOTA

The enabling act of February 22, 1889, for the admission of these States (25 Stat. 682 sec. 20) appropriated the sum of \$20,000 to each of these States for expenses of their conventions.

Any part of this money not necessary for such purpose was to be covered into the Treasury of the United States.

For the State of Washington an additional appropriation of \$6,076.27 was made for convention expenses by the Deficiency Appropriation Act of September 30, 1890 (26 Stat. 511).

MARGARET FENNELL,

Legal Analyst, American Law Division.

MARCH 20, 1959.

ADMINISTRATIVE OFFICE OF THE U.S. COURTS,
Washington, D.C., May 7, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of May 4, 1959, requesting the views of the Administrative Office on provisions of section 23, contained in S. 1541, the Alaska omnibus bill.

You stated in your letter that Hon. Walter L. Pope, chief judge of the Ninth Circuit Court of Appeals, had filed a letter with your committee, on behalf of the Judicial Council of that circuit, protesting the provisions of subsections (a) and (b) of section 23 of the bill. Judge Pope has filed similar objections to those subsections with the Administrative Office, and I am enclosing copies of his letters of April 14 and April 22, addressed to me.

It is our estimate that the expenses involved in having the Court of Appeals for the Ninth Circuit hold a session annually in Anchorage (subsection (a)) would amount to approximately \$5,000. The estimated expenses involved in having the new District Court for the District of Alaska sit in Ketchikan would also amount to approximately \$5,000.

The Judicial Conference of the United States has not considered the judicial provisions of this legislation.

The Administrative Office will be glad to be of any further assistance to the committee and to supply any additional statistics or material which you believe would be helpful.

Sincerely yours,

WARREN OLNEY III, *Director.*

U.S. COURT OF APPEALS, NINTH CIRCUIT,
San Francisco, Calif., April 28, 1959.

HON. JAMES E. MURRAY,
U.S. Senator, Washington, D.C.

MY DEAR SENATOR MURRAY: As chief judge of this court and presiding officer of the Judicial Council of the Ninth Circuit, I am writing to you as chairman of the Senate Committee on Interior and Insular Affairs to make known our views on the provisions of subsections (a) and (b) of section 23 of S. 1541.

The members of this court who constitute its judicial council are very much opposed to those subdivisions, particularly subdivision (a) as it would impose a heavy and wholly unwarranted burden upon this already overburdened court.

Our reasons for opposing these provisions are explained in my letters to Mr. Warren Olney III dated April 14 and April 22, 1959. Copies of this letter and copies of the letters to Mr. Olney are enclosed for the use of the other authors of the bill.

With kindest regards and best wishes, I am,

Sincerely,

WALTER L. POPE.

U.S. COURT OF APPEALS, NINTH CIRCUIT,
San Francisco, Calif., April 22, 1959.

MR. WARREN OLNEY III,
Director, Administrative Office of the U.S. Courts, Supreme Court Building, Washington, D.C.

DEAR MR. OLNEY: On April 14 I wrote you concerning the provisions of section 23 of the bill H.R. 6091, containing certain provisions relating to the holding of court at various places in the State of Alaska. In that letter I voiced my individual objections to subsections (a) and (b) of section 23, particularly subsection (a), which would require our court to hold sessions at Anchorage, Alaska.

On Monday, April 20, I read that letter which I wrote you to the members of our judicial council, and also had present, for consideration of the council, a summary of an analysis of Alaska cases that have been heard in this court during a period from 1951 to the present.

The council voted to approve the statements made and the position taken in my letter of April 14. You may, therefore, be advised that our council is definitely opposed to the proposed legislation mentioned.

You will note from the summary which we had made by our law clerks, that during the period from 1951 to date there have been an average of about 3½ cases a year that would have come on appeal to this court had Alaska been a State. I think it is apparent that that amount of appellate business would hardly warrant this court making regular trips to Anchorage for the hearing of appeals.

If you are called upon to express some views to the congressional committee charged with the proposed legislation, I assume that you will inform them of the views of our judicial council.

Very sincerely,

WALTER L. POPE.

U.S. COURT OF APPEALS, NINTH CIRCUIT,
San Francisco, Calif., April 14, 1959.

Mr. WARREN OLNEY III,
*Director, Administrative Office, U.S. Courts,
Supreme Court Building, Washington, D.C.*

DEAR MR. OLNEY: Judge Maris was very kind to send to me his letter of April 4, 1959, addressed to you and dealing with the provisions of section 23 of a bill, H.R. 6091, introduced by Congressman Aspinall. This is the bill dealing with certain matters relating to the State of Alaska, including the courts that are provided for, or referred to, in the Alaska Statehood Act.

Notwithstanding Judge Maris seems to give his approval of subsections (a) and (b) of that section 23, I really think they will not stand analysis, and I venture to say that after our Judicial Council meets on April 20, you will be getting some formal communications with respect to these proposals.

If I may say so, I think the amendment to title 28, section 43 proposed in subdivision (a) of that section is about as silly as anything I have seen in a long time. Of course I realize the enthusiasm of the Representative of a brandnew State, but the whole thing will not stand analysis.

As you know, this court, consistently with the legislation, sits in the larger centers of population within the circuit. We have suitable quarters for that purpose not only in San Francisco, but in Los Angeles, Seattle, and Portland. To add Anchorage as a place where this court is required to hold sessions is really something.

The 1958 population of Alaska is 215,000 people; the population of the next smallest State, Nevada, is 267,000, as of 1957, and it is rapidly growing. Nobody ever dreams of having this court hold sessions in Nevada. In addition we have Arizona with 1,136,000, and very rapidly growing, Montana with 666,000 (a State where the legal business in the Federal courts is increasing), and in addition, there is Idaho, with about the population of Montana.

To consider ordering us to go to Anchorage when we would not think of holding court in any of these other, more populous, States is the height of absurdity. Of course, heretofore, this court has had a fair number of cases from Alaska, because we have handled everything. We have acted as the Supreme Court of Alaska.

When the Federal court is set up there, there will be practically no business coming to this court from Alaska if the experience of the past 10 years is following in the future.

I hope that you will make such notes as will lead you to indicate your doubt as to the validity of this proposed amendment, if and when the committees call upon you to appear before them with respect to this proposed legislation.

With respect to subdivision (b), which would require the new District Court for the District of Alaska to sit at Ketchikan as well as the other places where court has been held in the past, I think that is most inadvisable. I know of nothing to prevent the district judge, if and when he is appointed, from holding court at Ketchikan if he finds that it would be in the interest of litigants, and the administration of justice, even if Ketchikan is not listed in the statute.

However, I know something about this kind of legislation from my experience in practicing law in Montana, where places where court is required to be held have proliferated beyond all reasonable bounds. As you know, most travel in Alaska is by plane; if a man is getting on a plane to go, and attend to his legal business, taking his witnesses along, he can go to any other place as readily as he could to Ketchikan.

It is not like farmers in a settled community in the State of Iowa wanting to have some place nearby to which they could drive their team of horses.

In Montana it developed that this sort of legislation, calling for holding court at additional towns, was a chamber of commerce scheme to get the Federal Government into a position where it had to build a new Federal courthouse. That is what happened at such a town as Glasgow, Mont., where they have a beautiful courtroom, and courthouse, but really no important business to transact there. Yet they interfere with the orderly conduct of the district court in that district by requiring useless trips to be taken to spots like that.

That is the sort of thing that Ketchikan promises to be, it seems to me. In fact, instead of adding a new town, they ought to cut out some of the ones that are already in the statute.

I will let you have the views of our council shortly after our next meeting.

Thanking you, I am,
Sincerely,

WALTER L. POPE.

MAY 22, 1959.

HON. JAMES E. MURRAY,
U.S. Senator,
Washington, D.C.

Am sending you airmail today copy of my memorandum respecting section 23 of Alaska omnibus bill. Am unable to comprehend why a provision not previously approved by the Judicial Conference and extremely objectionable to this Judicial Council should be inserted so as to compel this court each year to petition the Judicial Conference for pretermisison. I would like to know by what authority the Bureau of the Budget purports to speak for the Administrative Office of the U.S. Courts.

WALTER L. POPE.

MEMORANDUM TO THE JUDICIAL CONFERENCE OF THE UNITED STATES CONCERNING
SECTION 23 OF H.R. 6091 AND SECTION 23 OF S. 1541 (IDENTICAL BILLS)

These are called the Alaska omnibus bills. Section 23 is headed "Courts." It contains a subdivision (a) which is highly objectionable to the Judicial Council of the Ninth Circuit, and a subdivision (b) which also appears to be without justification.

SUBDIVISION (a) OF SECTION 23

This would amend title 28, section 48, to make mandatory an annual session of the Court of Appeals at Anchorage, Alaska.

At present section 48 lists the places for holding court as follows: "San Francisco, Los Angeles, Portland, Seattle." The amendment would add "Anchorage."

The first absurdity about the proposal is that the court does not sit, and so far as is known, has never been asked to sit in the States of Arizona, Idaho, Montana, or Nevada. The volume of business produced in those States obviously does not warrant any such waste of time or travel; yet each of them has a greater population than Alaska, and each produces more appeals than will the new State.

Population figures as of July 1, 1957, are as follows (U.S. Department of Commerce, current population reports):

Arizona-----	1, 078, 000	Nevada-----	262, 000
Idaho-----	645, 000	Alaska-----	211, 000
Montana-----	671, 000		

The lack of justification for a session at Anchorage appears when we estimate, as we can, the probable volume of business that will originate in the new district court of Alaska. An analysis of all cases which came to this court from Alaska in the period covered by volumes 190 through 262, inclusive, of the Federal Reporter (1951 to date), indicates that had Alaska been a State in that period, an average of no more than 3½ cases a year would have reached this court. (Analysis of these cases is enclosed.)

There is no reason to believe the years to come would produce any greater volume. Not all of those would be heard at Anchorage as proper administration would require setting of most criminal cases at Seattle, Portland, or San Francisco, so as not to require them to await an annual session at Anchorage.

The net result of the enactment of this subdivision would be an annual application to the Conference for leave to pretermite the Anchorage session.

It should be understood that most travel in Alaska is by air. Air service to Seattle, Portland, or San Francisco is excellent.

SUBDIVISION (b) OF SECTION 23

Sec. 12(b) of the Alaska Statehood Act (Public Law 85-508; 72 Stat. 339; approved July 7, 1958), provided that the district court should be held at Anchorage, Fairbanks, Juneau, and Nome. These were the locations for the four divisions of the territorial court. The new proposal is to add Ketchikan to this list.

Since the new court, after it is created, can best tell by experience where sessions are needed, and since it requires no statutory authority to hold court at Ketchikan, or any other place where business requires or justifies it (see title 28, secs. 141, 142), it would appear unwise to saddle the court with a requirement of this sort with no experience to justify it.

WALTER L. POPE,
Chief Judge

(For the Judicial Council of the Ninth Circuit).

SUMMARY OF ANALYSIS OF ALASKA CASES

Analysis of 177 cases coming to the Court of Appeals for the Ninth Circuit from the Federal district courts of the Territory of Alaska during the period from 1951 to the present (cases reported in Federal Reporter, 2d series, vols. 190 through 262, inclusive) reveals that in 124 cases independent grounds of Federal jurisdiction were definitely lacking or their existence highly improbable. Only 23 of the cases analyzed definitely contained independent grounds of jurisdiction. In the other 30 cases no independent grounds were apparent but might possibly have existed. In only 6 of these 30 cases, however, was their existence termed "probable."

If we add to the 23 cases wherein independent grounds definitely existed, the 6 cases wherein their existence was thought "probable," we have a total of 29 cases which would have come to this court from Alaska from 1951 to the present had Alaska been a State during this period. An average of about $3\frac{1}{2}$ cases a year.

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LEGISLATIVE HISTORY

Public Law 86-70

H.R. 7120

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INDEX AND SUMMARY OF H. R. 7120

Mar. 25, 1959 Senator Murray and others introduced S. 1541 which was referred to Senate Committee on Interior and Insular Affairs. Print of bill as introduced.

Mar. 26, 1959 Rep. Aspinall introduced H. R. 6091 which was referred to House Committee on Interior and Insular Affairs. Print of bill as introduced.

May 11, 1959 House subcommittee ordered H. R. 6091 reported with amendment.

May 13, 1959 House committee ordered H. R. 6091 reported with amendment.

May 14, 1959 Rep. Aspinall introduced H. R. 7120 which was referred to House Committee on Interior and Insular Affairs. Print of bill as introduced.

May 19, 1959 House committee reported H. R. 7120 without amendment. House Report 369. Print of bill and House report.

May 25, 1959 Senate committee voted to report S. 1541 with amendments.

May 28, 1959 Rules Committee reported a resolution for consideration of H. R. 7120. House Resolution 279 and House Report 405. Print of resolution and House Report.

Senate committee reported S. 1541 with amendments. Senate Report 331. Print of bill and Senate report.

June 1, 1959 House passed H. R. 7120 with amendments.

June 2, 1959 H. R. 7120 was ~~referred to Senate Committee on Interior and Insular Affairs. Print of bill as referred.~~ Placed on Senate Calendar.

June 3, 1959 Senate passed H. R. 7120 with amendments in lieu of S. 1541. S. 1541 was postponed due to passage of H. R. 7120.

June 11, 1959 House concurred in Senate amendments with an amendment.

June 12, 1959 Senate agreed to House amendment.

June 25, 1959 Approved: Public Law 86-70.

DIGEST OF PUBLIC LAW 86-70

ALASKA OMNIBUS ACT. Amends various laws of the United States in light of the admission of Alaska as a State. Amends the Sugar Act of 1948 so as to include the requirements of Alaska in determining sugar requirements in the continental United States. Amends the Soil Bank Act so as to make clear that the conservation reserve program applies to Alaska only if the Secretary of Agriculture determines that such application would be in the national interest. Amends Sec. 8 of the Soil Conservation and Domestic Allotment Act so as to permit ASC County committees to represent more than one county or parts of different counties in Alaska. Amends the Smith-Hughes vocational education law to include Alaska on the same basis as other States, and increase the authorization for allotments to the States for teacher-training in agriculture, trades and industries, and home economics from \$90,000 to \$98,500. Amends the act of February 15, 1927, which regulates the importation of milk and cream into the continental United States, so as to include Alaska. Extends the provisions of the Federal Property and Administrative Services Act of 1949 to Alaska. Extends to Alaska the provisions of the act of March 3, 1891 which regulates timber cutting and removal from public lands. Provides that the phrase "continental United States," when used in Federal laws after enactment of this act, shall mean the 49 states of the North American Continent and the District of Columbia. Authorizes the President, until July 1, 1964, to transfer to Alaska, without reimbursement, any property there owned by the United States in connection with Federal functions which are terminated or curtailed and the functions have been or will be assumed by Alaska.

S. 1541

IN THE SENATE OF THE UNITED STATES

MARCH 25, 1959

MR. MURRAY (for himself, Mr. ANDERSON, Mr. GOLDWATER, Mr. JACKSON, Mr. KUCHEL, and Mr. O'MAHONEY) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Alaska Omnibus Act".

4 FEDERAL JURISDICTION

5 SEC. 2. Section 4 of the Act of July 7, 1958 (72 Stat.
6 339), providing for the admission of the State of Alaska into
7 the Union, is amended by striking out the words "all such
8 lands or other property, belonging to the United States or
9 which may belong to said natives", and inserting in lieu
10 thereof the words "all such lands or other property (includ-

1 ing fishing rights), the right or title to which may be held
2 by said natives or is held by the United States in trust for
3 said natives”.

4 TERMINATION OF APPLICATION OF CERTAIN FEDERAL
5 LAWS

6 SEC. 3. Any Territorial law, as that term is defined in
7 section 8 (d) of the Act of July 7, 1958 (72 Stat. 339, 344),
8 providing for the admission of the State of Alaska into the
9 Union—

10 (a) which provides for the regulation of commerce
11 within Alaska by an agency of the United States, and

12 (b) the application of which to the State of Alaska
13 is continued solely by reason of such section 8 (d),
14 shall cease to apply to the State of Alaska on June 30,
15 1961, or on the effective date of any law enacted by
16 the Legislature of the State of Alaska which modifies or
17 changes such Territorial law, whichever occurs first.

18 SUGAR ACT

19 SEC. 4. Section 101 of the Sugar Act of 1948, as
20 amended (7 U.S.C., supp. V, sec. 1101), is further
21 amended by adding thereto a new subsection, to be desig-
22 nated subsection “(o)” and to read as follows:

1 “(o) The term ‘continental United States’ means the 49
2 States and the District of Columbia.”

3 SOIL BANK ACT

4 SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C.,
5 supp. V, sec. 1837), is amended to read as follows: “This
6 subtitle B shall apply to the continental United States, ex-
7 cept Alaska, and, if the Secretary determines it to be in the
8 national interest, to the State of Alaska, the Territory of
9 Hawaii, the Commonwealth of Puerto Rico, and the Virgin
10 Islands, and as used in this subtitle B, the term ‘State’ in-
11 cludes Hawaii, Puerto Rico, and the Virgin Islands.”

12 ARMED FORCES

13 SEC. 6. (a) Title 10, United States Code, section 101
14 (2), is amended by striking out the words “Alaska, Ha-
15 waii,” and inserting in lieu thereof the word “Hawaii”.

16 (b) Title 10, United States Code, sections 802 (11)
17 and 802 (12), are each amended by striking out the words
18 “that part of Alaska east of longitude 172 degrees west,”.

19 (c) Title 10, United States Code, section 2662 (c), is
20 amended by striking out the word “Alaska,”.

1 NATIONAL BANK ACT

2 SEC. 7. Section 5192 of the Revised Statutes, as
3 amended (12 U.S.C. 144), is further amended by striking
4 out the words "in Alaska or".

5 FEDERAL RESERVE ACT

6 SEC. 8. (a) Section 1 of the Federal Reserve Act, as
7 amended (12 U.S.C. 221), is further amended by deleting
8 the period at the end of such section and inserting in lieu
9 thereof the following: "; the term 'the continental United
10 States' means the States of the United States and the Dis-
11 trict of Columbia."

12 (b) Section 19 of the Federal Reserve Act, as amended
13 (12 U.S.C. 466), is further amended by striking the words
14 "in Alaska or".

15 HOME LOAN BANK BOARD

16 SEC. 9. (a) Paragraph (3) of section 2 of the Federal
17 Home Loan Bank Act, as amended (12 U.S.C. 1422 (3)),
18 is further amended by striking out the words "Territories
19 of Alaska and Hawaii" and inserting in lieu thereof the
20 words "Territory of Hawaii".

21 (b) Section 7 of the Home Owners' Loan Act of 1933,
22 as amended (12 U.S.C. 1466), is further amended by
23 striking out the words "continental United States, to the
24 Territories of Alaska and Hawaii" and inserting thereof the

1 words “continental United States (including Alaska), to
2 the Territory of Hawaii”.

3 NATIONAL HOUSING ACT

4 SEC. 10. The National Housing Act is amended by—

5 (a) striking out the word “Alaska,” in sections 9,
6 201 (d), 207 (a) (7), 601 (d), 713 (q), and 801 (g)
7 (12 U.S.C., secs. 1706d, 1707 (d), 1713 (a) (7),
8 1736 (d), 1747 1 (q) ; supp. V, sec. 1748 (g)) ;

9 (b) striking out the words “the Territory of
10 Alaska,” in section 207 (c) (2) (12 U.S.C., supp. V,
11 sec. 1713 (c) (2)), and inserting the word “Alaska” in
12 lieu thereof;

13 (c) by striking out the words “the Territory of
14 Alaska or in Guam” in section 214 (12 U.S.C., supp. V,
15 sec. 1715d; 48 U.S.C., supp. V, sec. 484d), and insert-
16 ing the words “Alaska, Guam,” in lieu thereof; and

17 (d) striking out the word “Territory” in the two
18 places where it appears in section 806 (12 U.S.C.,
19 supp. V, sec. 1748e), and inserting the word “State” in
20 lieu thereof.

21 COAST GUARD

22 SEC. 11. Title 14, United States Code, section 634 (b),
23 is amended by striking out the words “and for the territory
24 of” in both places where they appear therein.

1 SECURITIES AND EXCHANGE COMMISSION

2 SEC. 12. (a) Paragraph (6) of section 2 of the Securi-
3 ties Act of 1933, as amended (15 U.S.C. 77b (6)), is
4 further amended by striking out the word "Alaska,".

5 (b) Paragraph (16) of section 3 (a) of the Securities
6 Exchange Act of 1934, as amended (15 U.S.C. 78c (a)
7 (16)), is further amended by striking out the word
8 "Alaska,".

9 (c) Paragraph (18) of section 202 (a) of the Invest-
10 ment Advisers Act of 1940, as amended (15 U.S.C. 80b-2
11 (a) (18)), is further amended by striking out the word
12 "Alaska,".

13 (d) Paragraph (37) of section 2 (a) of the Investment
14 Company Act of 1940, as amended (15 U.S.C. 80a-2 (a)
15 (37)), is further amended by striking out the word
16 "Alaska,".

17 (e) Paragraph (1) of section 6 (a) of the Investment
18 Company Act of 1940, as amended (15 U.S.C. 80a-6 (a)
19 (1)), is further amended by striking out the word "Alaska,".

20 SOIL CONSERVATION

21 SEC. 13. (a) Section 8 (b) of the Soil Conservation and
22 Domestic Allotment Act, as amended (16 U.S.C., supp. V,
23 sec. 590h (b)), is further amended by inserting, immediately

1 following the words "continental United States", the words
2 ", except in Alaska".

3 (b) Section 17 (a) of the Soil Conservation and Do-
4 mestic Allotment Act, as amended (16 U.S.C. 590q (a)),
5 is further amended by striking out the words "the United
6 States, the Territories of Alaska and Hawaii" and inserting
7 in lieu thereof the words "the States, the Territory of Ha-
8 waii", and by striking out the word "Alaska" the second time
9 it appears therein.

10 BALD EAGLES

11 SEC. 14. Section 1 of the Act of June 8, 1940 (16
12 U.S.C. 668), is amended by striking out the words "except
13 the Territory of Alaska,".

14 WILDLIFE RESTORATION

15 SEC. 15. Section 8 (a) of the Act of September 2, 1937,
16 as amended (16 U.S.C., supp. V, sec. 669g-1), is further
17 amended by striking out the words "the Alaska Game Com-
18 mission,", "said Territory of Alaska,", "not exceeding
19 \$75,000 for Alaska, and", and "the Territory of Alaska,".

20 FISH RESTORATION

21 SEC. 16. Section 12 of the Act of August 9, 1950, as
22 amended (16 U.S.C., supp. V, sec. 777k), is further
23 amended by striking out the words "the Alaska Game Com-

mission,” “said Territory of Alaska,” “not exceeding \$75,000 for Alaska, and”, and “the Territory of Alaska,”.

CRIMINAL CODE

SEC. 17. (a) Title 18, United States Code, section 5024, is amended by striking out the words “other than Alaska” and inserting in lieu thereof the words “including Alaska”.

(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words “other than Alaska” and inserting in lieu thereof the words “including Alaska”.

(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

EDUCATION

SEC. 18. (a) (1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out “Alaska,” each time it appears.

(2) Paragraph (3) (B) of section 302 (a) of such Act (72 Stat. 1580, 1588), relating to definition of continental United States for purposes of allotments for science,

1 mathematics and modern foreign language instruction equip-
 2 ment, is amended by striking out "does not include Alaska"
 3 and inserting in lieu thereof "includes Alaska".

4 (3) Section 1008 of such Act (72 Stat. 1580, 1605),
 5 relating to allotments to territories, is amended by striking
 6 out "Alaska,".

7 (b) (1) Section 4 of the Act of February 23, 1917
 8 (20 U.S.C. 14), relating to allotments for teacher-training,
 9 is amended by striking out "\$90,000" and inserting in lieu
 10 thereof "\$98,500". The proviso in the last paragraph of
 11 section 5 of such Act (20 U.S.C. 16) and so much of section
 12 12 of such Act (20 U.S.C. 22) as follows the last semi-
 13 colon shall not be applicable to Alaska prior to the third
 14 fiscal year which begins after the enactment of this Act.

15 (2) Paragraph (1) of section 2 of the Vocational
 16 Education Act of 1946 (20 U.S.C. 15i), relating to defini-
 17 tion of States and Territories, is amended by striking out
 18 "the Territories of Alaska and Hawaii" and inserting in lieu
 19 thereof "the Territory of Hawaii".

20 (3) Subsection (e) of section 210 (20 U.S.C., supp.
 21 V, sec. 15 jj (e)), and subsection (a) of section 307 of such
 22 Act (72 Stat. 1580, 1600), relating to definition of State,
 23 are each amended by striking out "Alaska,".

1 (c) Paragraph (13) of section 15 of the Act of Septem-
2 ber 23, 1950, as amended (72 Stat. 548, 558), relating to
3 definition of State, is amended by striking out "Alaska,".

4 (d) (1) The material in the parentheses in the first sen-
5 tence of subsection (d) of section 3 of the Act of September
6 30, 1950, as amended, relating to determination of local
7 contribution rate, is amended to read: "(other than a local
8 educational agency in Hawaii, Puerto Rico, Wake Island,
9 Guam, or the Virgin Islands, or in a State in which a sub-
10 stantial proportion of the land is in unorganized territory for
11 which a State agency is the local educational agency)".

12 (2) The fourth sentence of such subsection is amended
13 by inserting "(including Alaska)" after "continental United
14 States" the first time it appears in such sentence. The fifth
15 sentence of such subsection is amended by inserting "(in-
16 cluding Alaska)" after "continental United States" the
17 second time it appears in such sentence.

18 (3) The last sentence of such subsection is amended by
19 striking out "Alaska," and by inserting after "the Virgin
20 Islands," the following: "or in any State in which a sub-
21 stantial proportion of the land is in unorganized territory for
22 which a State agency is the local educational agency,".

23 (4) Paragraph (8) of section 9 of such Act (20
24 U.S.C., supp. V, sec. 244 (8)), relating to definition of
25 State, is amended by striking out "Alaska,".

1 IMPORTATION OF MILK AND CREAM

2 SEC. 19. Subsection (b) of section 9 of the Act of Feb-
3 ruary 15, 1927 (21 U.S.C. 149 (b)), is amended by in-
4 serting the words “, including Alaska” immediately follow-
5 ing the words “continental United States”.

6 OPIUM POPPY CONTROL

7 SEC. 20. Section 12 of the Opium Poppy Control Act of
8 1942 (21 U.S.C. 188k) is amended by deleting therefrom
9 the words “the Territory of Alaska,”.

10 HIGHWAYS

11 SEC. 21. (a) The Secretary of Commerce shall trans-
12 fer to the State of Alaska by appropriate conveyance with-
13 out compensation, but upon such terms and conditions as he
14 may deem desirable, all lands or interests in lands, includ-
15 ing buildings and fixtures, all personal property, including
16 machinery, office equipment, and supplies, and all records
17 pertaining to roads in Alaska, which are owned, held, ad-
18 ministered by, or used by the Secretary in connection with
19 the activities of the Bureau of Public Roads in Alaska, (i)
20 except such lands or interests in lands, including buildings
21 and fixtures, personal property, including machinery, office
22 equipment, and supplies, and records as the Secretary may
23 determine are needed for the operations, activities, and
24 functions of the Bureau of Public Roads in Alaska after such
25 transfer, including services or functions performed pursu-

1 ant to section 40 of this Act; and (ii) except such lands
2 or interests in lands as he or the head of any other Federal
3 agency may determine are needed for continued retention
4 in Federal ownership for purposes other than or in addition
5 to road purposes.

6 (b) Notwithstanding any other provision of this section,
7 any contract entered into by the Federal Government in
8 connection with the activities of the Bureau of Public Roads
9 in Alaska which has not been completed on the date of the
10 transfer provided under subsection (a) hereof may be com-
11 pleted according to the terms thereof.

12 (c) (1) The State of Alaska shall be responsible for the
13 maintenance of roads, including bridges, tunnels, and ferries,
14 transferred to it under subsection (a) of this section, as long
15 as any such road is needed for highway purposes.

16 (2) Federal-aid funds apportioned to Alaska under
17 title 23, United States Code, for fiscal year 1960 and prior
18 fiscal years, and unobligated on the date of enactment of
19 this Act, may be used for maintenance of highways on the
20 Federal-aid systems in Alaska.

21 (d) Effective July 1, 1959, the following provisions of
22 law are repealed:

23 (1) Title 23, United States Code, section 103 (f) ;

24 (2) Title 23, United States Code, section 116 (d) ;

25 (3) Title 23, United States Code, section 119;

1 (4) Title 23, United States Code, section 120 (h),
2 except that the portion of the first sentence thereof relating
3 to the percentage of funds to be contributed by Alaska shall
4 continue to apply to funds apportioned to Alaska for fiscal
5 year 1960 and prior fiscal years;

6 (5) Sections 107 (b) and (d) of the Federal-Aid High-
7 way Act of 1956 (70 Stat. 374, 377, 378) ;

8 (6) Section 2 of the Act of January 27, 1905 (33 Stat.
9 616), as amended (48 U.S.C. 322 and the following) ; and

10 (7) The Act of June 30, 1932 (47 Stat. 446), as
11 amended (48 U.S.C. 321 (a) and the following) .

12 (e) Effective on July 1, 1959, the following provisions
13 of law are amended:

14 (1) The definition of the term "State" in title 23,
15 United States Code, section 101 (a), is amended to read as
16 follows:

17 "The term 'State' means any one of the forty-nine
18 States, the District of Columbia, Hawaii, or Puerto
19 Rico." ;

20 (2) Title 23, United States Code, section 104 (b), is
21 amended by deleting the phrase " , except that only one-third
22 of the area of Alaska shall be included" where it appears in
23 paragraphs (1) and (2) of said section 104 (b) ;

24 (3) Title 23, United States Code, section 116 (a), is

1 amended by deleting the phrase "except as provided in sub-
 2 section (d) of this section," and by capitalizing the word
 3 "it" immediately following such phrase; and

4 (4) Title 23, United States Code, section 120 (a), is
 5 amended by deleting the phrase "subsections (d) and (h)"
 6 and by inserting in lieu thereof the phrase "subsection (d)".

7 INTERNAL REVENUE

8 SEC. 22. (a) Section 2202 of the Internal Revenue
 9 Code of 1954 (relating to missionaries in foreign service),
 10 and sections 3121 (e) (1), 3306 (j), 4221 (d) (4), and
 11 4233 (b) of such Code (each relating to a special definition
 12 of "State") are amended by striking out "Alaska,".

13 (b) Section 4262 (c) (1) of the Internal Revenue Code
 14 of 1954 (definition of "continental United States") is
 15 amended to read as follows:

16 "(1) CONTINENTAL UNITED STATES.—The term
 17 'continental United States' means the District of Colum-
 18 bia and the States other than Alaska."

19 (c) Section 4502 (5) of the Internal Revenue Code
 20 of 1954 (relating to definition of "United States") is
 21 amended by striking out "the Territories of Hawaii and
 22 Alaska" and by inserting in lieu thereof "the Territory of
 23 Hawaii".

24 (d) Section 4774 of the Internal Revenue Code of

1 1954 (relating to territorial extent of law) is amended by
2 striking out "the Territory of Alaska,".

3 (e) Section 7621 (b) of the Internal Revenue Code of
4 1954 (relating to boundaries of internal revenue districts)
5 is amended to read as follows:

6 " (b) BOUNDARIES.—For the purpose mentioned in sub-
7 section (a), the President may subdivide any State, Terri-
8 tory, or the District of Columbia, or may unite into one
9 district two or more States or a Territory and one or more
10 States."

11 (f) Section 7653 (d) of the Internal Revenue Code of
12 1954 is amended by striking out "its Territories or posses-
13 sions" and inserting in lieu thereof "its possessions or the
14 Territory of Hawaii".

15 (g) Section 7701 (a) (9) of the Internal Revenue Code
16 of 1954 (relating to definition of "United States") is
17 amended by striking out "the Territories of Alaska and
18 Hawaii" and inserting in lieu thereof "the Territory of
19 Hawaii".

20 (h) Section 7701 (a) (10) of the Internal Revenue
21 Code of 1954 (relating to definition of State) is amended
22 by striking out "Territories" and inserting in lieu thereof
23 "Territory of Hawaii".

24 (i) The amendments contained in subsections (a).

1 through (h) of this section shall be effective as of January 3,
2 1959.

3 COURTS

4 SEC. 23. (a) Title 28, United States Code, section 48,
5 is amended by striking out the word "Seattle." and inserting
6 in lieu thereof the words "Seattle, Anchorage."

7 (b) Title 28, United States Code, section 81A, is
8 amended by inserting the word "Ketchikan," immediately
9 following the word "Juneau,".

10 (c) Such authority as has been exercised by the Attor-
11 ney General heretofore, with regard to the Federal court
12 system in Alaska, pursuant to section 30 of the Act of
13 June 6, 1900 (48 U.S.C. 25), shall continue to be exer-
14 cised by him after the court created by section 12 (b) of
15 the Act of July 7, 1958 (72 Stat. 339, 348), providing
16 for the admission of the State of Alaska into the Union, is
17 established.

18 (d) All balances of public moneys received by the
19 clerks of each division of the District Court for the Territory
20 of Alaska pursuant to section 10 of the Act of June 6, 1900,
21 as amended (48 U.S.C. 107), which are on hand after all
22 payments ordered by that court shall have been made, shall
23 be covered into the Treasury of the United States as re-
24 quired by law, and the Secretary of the Treasury shall pay

1 the amounts so covered, which are hereby appropriated, to
2 the State of Alaska.

3 VOCATIONAL REHABILITATION ACT

4 SEC. 24. (a) Subsection (g) of section 11 of the Voca-
5 tional Rehabilitation Act (29 U.S.C., supp. V, sec. 41 (g)),
6 relating to definition of State, is amended by striking out
7 "Alaska,".

8 (b) (1) Subsection (i) and paragraph (1) of subsec-
9 tion (h) of such section, relating to definition of allotment
10 percentages and Federal shares for purposes of allotment
11 and matching for vocational rehabilitation services, are each
12 amended by striking out "(excluding Alaska)" and insert-
13 ing in lieu thereof "(including Alaska)".

14 (2) Paragraph (1) of such subsection (h) is further
15 amended by striking out "Alaska,".

16 (3) Such subsection (i) is further amended by striking
17 out "Hawaii and Alaska" in clause (B) and inserting in lieu
18 thereof "Hawaii".

19 GOLD RESERVE ACT

20 SEC. 25. Section 15 of the Gold Reserve Act of 1934,
21 as amended (31 U.S.C. 444), is further amended by strik-
22 ing out the words " , the District of Columbia, and the
23 Territory of Alaska" and inserting in lieu thereof the
24 words "and the District of Columbia".

1 SILVER PURCHASE ACT

2 SEC. 26. Section 10 of the Silver Purchase Act of 1934
3 (31 U.S.C. 448b), is amended by striking out the words
4 “, the District of Columbia, and the Territory of Alaska” and
5 inserting in lieu thereof the words “and the District of
6 Columbia”.

7 NATIONAL GUARD

8 SEC. 27. Title 32, United States Code, section 101 (1),
9 is amended by striking out the words “Alaska, Hawaii,”
10 and inserting in lieu thereof the word “Hawaii”.

11 WATER POLLUTION CONTROL ACT

12 SEC. 28. (a) Paragraph (1) of section 5 (h) of the
13 Federal Water Pollution Control Act (33 U.S.C., supp.
14 V, sec. 466d (h) (1)), relating to Federal share for pur-
15 poses of matching for program operation, is amended by
16 striking out “(excluding Alaska)” and inserting in lieu
17 thereof “(including Alaska)” and by striking out, in clause
18 (B), “and Alaska”.

19 (b) Subsection (d) of section 11 of such Act (33
20 U.S.C., supp. V, sec. 466j (d)), is amended by striking
21 out “Alaska,”.

22 VETERANS' ADMINISTRATION

23 SEC. 29. (a) Title 38, United States Code, section
24 903 (b), is amended by striking out the words “, or to the
25 place of burial within Alaska if the deceased was a resident

1 of Alaska who had been brought to the United States as a
2 beneficiary of the Veterans' Administration for hospital or
3 domiciliary care"; by inserting the word "continental" im-
4 mediately before the words "United States" the second time
5 they appear in such section; and by inserting, immediately
6 following the words "continental United States" in both
7 places where they appear in such section, the parenthetical
8 phase "(including Alaska)".

9 (b) Title 38, United States Code, section 2007 (c), is
10 amended by striking out the word "Alaska,".

11 FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

12 SEC. 30. (a) Subsection (f) of section 3 of the Federal
13 Property and Administrative Services Act of 1949 (40
14 U.S.C. 472 (f)), is amended by striking out the words
15 ", Hawaii, Alaska," and inserting in lieu thereof the words
16 "(including Alaska), Hawaii,".

17 (b) Subsection (a) of section 702 of such Act (40
18 U.S.C., supp. V, sec. 522 (a)), is amended by striking out
19 the words "Territories of Alaska and Hawaii" and inserting
20 in lieu thereof the words "Territory of Hawaii".

21 PUBLIC HEALTH SERVICE ACT

22 SEC. 31. (a) Subsection (f) of section 2 of the Public
23 Health Service Act (42 U.S.C. 201 (f)), relating to
24 definition of State, is amended by striking out "Hawaii,
25 Alaska," and inserting in lieu thereof "Hawaii," and by

1 striking out “, the District of Columbia, or Alaska” and
2 inserting in lieu thereof “or the District of Columbia”.

3 (b) (1) Effective July 1, 1959, section 371 of the
4 Public Health Service Act, as added by the Alaska Mental
5 Health Enabling Act (42 U.S.C., supp. V, sec. 273), is
6 repealed.

7 (2) Subsection (a) of section 372 of such Act (42
8 U.S.C., supp. V, sec. 274 (a)), is amended by striking out
9 “the Territory of”.

10 (3) Subsections (b), (c), and (e) of such section
11 are each amended by striking out “the Territory” each time
12 it appears and inserting in lieu thereof “Alaska”.

13 (4) Such subsection (e) is further amended by striking
14 out “the Territory’s” and inserting in lieu thereof “Alaska’s”.

15 (c) (1) Subsection (a) of section 631 of such Act
16 (42 U.S.C., supp. V, sec. 291i (a)), relating to definition
17 of allotment percentage for purposes of allotments for con-
18 struction, is amended by striking out “(excluding Alaska)”
19 and inserting in lieu thereof “(including Alaska)” and by
20 striking out “for Alaska and Hawaii shall be 50 per centum
21 each” in clause (2) and inserting in lieu thereof “for Hawaii
22 shall be 50 per centum”.

23 (2) Subsection (d) of such section, relating to defini-
24 tion of State, is amended by striking out “Alaska,”.

SOCIAL SECURITY ACT

SEC. 32. (a) Paragraph (8) of section 1101 (a) of the Social Security Act (72 Stat. 1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out "Alaska and" in clause (ii) of subparagraph (A) and by striking out "(excluding Alaska)" in subparagraphs (A) and (B) and inserting in lieu thereof "(including Alaska)".

(b) (1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (B).

(2) Subsection (b) of such section, relating to definition of Federal share for purposes of matching for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (2).

(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares and allotment percentages, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(c) (1) The last sentence of section 202 (i) of the Social Security Act (42 U.S.C., supp. V, sec. 402 (i)), is amended

1 by striking out "forty-eight" and inserting in lieu thereof
2 "forty-nine".

3 (2) Subsections (h) and (i) of section 210 of such Act
4 (42 U.S.C. 410 (h), (i)), relating to definitions of State
5 and United States for purposes of old-age, survivors, and dis-
6 ability insurance, are each amended by striking out
7 "Alaska,".

8 (d) (1) Paragraph (1) of section 1101 (a) of the
9 Social Security Act (42 U.S.C., supp. V, sec. 1301 (a) (1)),
10 relating to definition of State, is amended by striking out
11 "Alaska, Hawaii," and inserting in lieu thereof "Hawaii".

12 (2) Paragraph (2) of such section (42 U.S.C.
13 1301 (a) (2)), relating to definition of United States, is
14 amended by striking out "Alaska,".

15 CONGRESSIONAL RECORD

16 SEC. 33. Section 73 of the Act of January 12, 1895, as
17 amended (44 U.S.C., supp. V, sec. 183), is further amended
18 by striking out the word "Alaska,".

19 FEDERAL REGISTER

20 SEC. 34. Section 8 of the Federal Register Act (44
21 U.S.C. 308) is amended by striking out the parenthetical
22 phrase "(not including Alaska)" and inserting in lieu
23 thereof the parenthetical phrase "(including Alaska)".

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), which has not been completed by the date of enactment of this Act, may be completed according to the terms thereof.

1 SELECTIVE SERVICE

2 SEC. 36. Section 16 (b) of the Universal Military Train-
3 ing and Service Act, as amended (50 U.S.C., app., sec.
4 466 (b)), is further amended by striking out the word
5 "Alaska,".

6 REAL PROPERTY TRANSACTIONS

7 SEC. 37. Section 43 (c) of the Act of August 10, 1956
8 (50 U.S.C., app., supp. V, sec. 2285 (c)), is amended by
9 striking out the word "Alaska,".

10 RECREATION FACILITIES

11 SEC. 38. Section 2 of the Act of May 4, 1956 (70
12 Stat. 130), is hereby repealed. There are hereby author-
13 ized to be appropriated for the fiscal year ending June 30,
14 1960, such sums as may be necessary to complete the con-
15 struction of facilities described in section 1 of such Act, as
16 amended by the Act of August 30, 1957 (71 Stat. 510),
17 if construction was begun prior to June 30, 1959, and to
18 maintain the facilities pending their transfer pursuant to such
19 section.

20 AIRCRAFT LOAN GUARANTEES

21 SEC. 39. Section 3 of the Act of September 7, 1957
22 (71 Stat. 629), is amended by striking out the words
23 "Territory of Alaska" and inserting in lieu thereof the words
24 "State of Alaska".

TRANSITIONAL GRANTS

SEC. 40. (a) In order to assist the State of Alaska in accomplishing an orderly transition from Territorial status to statehood, and in order to facilitate the assumption by the State of Alaska of responsibilities hitherto performed in Alaska by the Federal Government, there are hereby authorized to be appropriated to the President, for the purpose of making transitional grants to the State of Alaska, the sum of \$10,500,000 for the fiscal year ending June 30, 1960; the sum of \$6,000,000 for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$2,500,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964.

(b) The Governor of Alaska may submit to the President a request that a Federal agency continue to provide services or facilities in Alaska for an interim period, pending the provision of such services or facilities by the State of Alaska. Such interim period shall not extend beyond June 30, 1964. In the event of such request, and in the event of the approval thereof by the President, the President may allocate, at his discretion, to such agency the funds necessary to finance the provision of such services or facilities. Such funds shall be allocated from appropriations made pursuant to subsection (a) hereof, and the amount of such

1 funds shall be deducted from the amount of grants available
2 to the State of Alaska pursuant to such subsection.

3 (c) After the transfer or conveyance to the State of
4 Alaska of any property or function pursuant to the Act of
5 July 7, 1958 (72 Stat. 339), providing for the admission of
6 the State of Alaska into the Union, or pursuant to this
7 Act or any other law, and until June 30, 1964, the head
8 of the Federal agency having administrative jurisdiction of
9 such property prior to its transfer or conveyance may con-
10 tract with the State of Alaska for the performance by such
11 agency, on a reimbursable basis, of some or all of the func-
12 tions authorized to be performed by it in Alaska immedi-
13 ately preceding such conveyance or transfer.

14 TRANSFER OF PROPERTY

15 SEC. 41. If the President determines that any function
16 performed by the Federal Government in Alaska has been
17 terminated by the Federal Government and that perform-
18 ance of such function or substantially the same function has
19 been or will be assumed by the State of Alaska, the Presi-
20 dent may, until July 1, 1964, in his discretion, transfer and
21 convey to the State of Alaska, without reimbursement, any
22 property or interest in property, real or personal, situated
23 in Alaska which is owned or held by the United States in
24 connection with such function.

CLAIMS COMMISSION

1
2 SEC. 42. (a) In the event that any disputes arise be-
3 tween the United States and the State of Alaska concerning
4 the transfer, conveyance, or other disposal of property to
5 the State of Alaska pursuant to section 6(e) of the Act
6 of July 7, 1958 (72 Stat. 339, 340), providing for the
7 admission of the State of Alaska into the Union, or pursuant
8 to this Act, the President is authorized to appoint a tem-
9 porary commission of three persons to consider, ascertain,
10 adjust, determine, and settle such disputes. In carrying
11 out its duties under this section, such commission may hold
12 such hearings, take such testimony, sit and act at such times
13 and places, and incur such expenditures as the commission
14 deems necessary. Any settlement made by such commis-
15 sion under the authority of this section shall be final and
16 conclusive for all purposes, notwithstanding any other pro-
17 vision of law to the contrary.

18 (b) The commission may, without regard to the civil
19 service laws and the Classification Act of 1949, employ and
20 fix the compensation of such employees as it deems neces-
21 sary to carry out its duties under this section. The commis-
22 sion is authorized to use the facilities, information, and per-
23 sonnel of the departments, agencies, and establishments of
24 the executive branch of the United States Government which

1 it deems necessary to carry out its duties; and each such
2 department, agency, and instrumentality is authorized to
3 furnish such facilities, information, and personnel to the
4 commission upon request made by the commission. The
5 commission shall reimburse each such department, agency,
6 or instrumentality for the services of any personnel utilized.

7 (c) No member of such commission shall be an officer
8 or employee of the United States or of the State of Alaska.
9 Each member of the commission shall be paid compensation
10 at the rate of \$50 per day for each day spent in the work of
11 the commission, shall be reimbursed for actual and necessary
12 travel expenses, and shall receive a per diem allowance in
13 accordance with the provisions of the Travel Expense Act
14 of 1949, as amended, when away from his usual place of
15 residence.

16 (d) The President is authorized to make such rules and
17 regulations as may be necessary to carry out the provisions
18 of this section. There are hereby authorized to be appro-
19 priated such sums as may be necessary to enable the com-
20 mission to perform its duties under this section.

21 EFFECTIVE DATES

22 SEC. 43. (a) The amendments made by paragraph (2)
23 of subsection (a) of section 18, by subsection (a) of section
24 28, by paragraph (1) of subsection (c) of section 31, by
25 subsections (a) and (b) of section 32, and, except as pro-

1 vided in subsection (c) of this section, by subsection (b) of
2 section 24, shall be applicable in the case of promulgations
3 of Federal shares, allotment percentages, allotment ratios,
4 and Federal percentages, as the case may be, made after
5 satisfactory data are available from the Department of Com-
6 merce for a full year on the per capita income of Alaska, and
7 for this purpose such promulgations shall, before such data
8 for the full period required by the applicable statutory pro-
9 vision as so amended are available from the Department of
10 Commerce, be based on satisfactory data available from such
11 Department for such one full year or, when such data for a
12 two-year period are available, for such two years.

13 (b) The amendments made by paragraphs (1) and (3)
14 of subsection (a) of section 18 shall be applicable, in the
15 case of allotments under section 302 (b) or 502 of the
16 National Defense Education Act of 1958, for fiscal years
17 beginning July 1, 1959, and, in the case of allotments under
18 section 302 (a) of such Act, in the case of allotments based
19 on allotment ratios, promulgated under such section 302 (a),
20 to which the amendment made by paragraph (2) of sub-
21 section (a) of section 18 of this Act is applicable.

22 (c) (1) The allotment percentage determined for Alaska
23 under section 11 (h) of the Vocational Rehabilitation Act,
24 as amended by this Act, for the first, second, third, and
25 fourth years for which the amendments made by this Act

1 are applicable to such section shall be increased by 76 per
2 centum, 64 per centum, 52 per centum, and 28 per centum,
3 respectively, of the difference between such allotment per-
4 centage for the year involved and 75 per centum.

5 (2) The Federal share for Alaska determined under
6 section 11 (i) of the Vocational Rehabilitation Act, as
7 amended by this Act, for the first year for which the amend-
8 ments made by this Act are applicable to such section shall
9 be increased by 70 per centum of the difference between
10 such Federal share for such year and 60 per centum.

11 (3) If such first year for which such amendments made
12 by this Act are applicable is any fiscal year ending prior to
13 July 1, 1962, the adjusted Federal share for Alaska for
14 such year for purposes of section 2 (b) of the Vocational Re-
15 habilitation Act shall, notwithstanding the provisions of para-
16 graph (3) (A) of such section 2 (b), be the Federal share
17 determined pursuant to paragraph (2) of this subsection.

18 (d) The amendments made by paragraphs (2) and (3)
19 of subsection (b), by subsection (c), and by paragraph (4)
20 of subsection (d) of section 18; by subsection (a) of section
21 24; by subsection (b) of section 28; by subsection (a), by
22 subparagraphs (2), (3), and (4) of subsection (b), and by
23 paragraph (2) of subsection (c) of section 31; by para-
24 graph (2) of subsection (c) and by subsection (d) of sec-
25 tion 32; and, except as provided in subsection (b) of this

1 section by paragraph (1) of subsection (a) of section 18,
2 shall be effective on January 3, 1959.

3 (e) The amendment made by paragraph (1) of sub-
4 section (c) of section 32 shall apply in the case of deaths
5 occurring on or after January 3, 1959.

6 (f) The amendments made by paragraph (1) of sub-
7 section (b) and paragraphs (1), (2), and (3) of subsec-
8 tion (d) of section 18 shall be applicable for fiscal years
9 beginning July 1, 1959.

10 DEFINITION OF "CONTINENTAL UNITED STATES"

11 SEC. 44. Whenever the phrase "continental United
12 States" is used in any law of the United States enacted after
13 the date of enactment of this Act, it shall mean the 49
14 States on the North American Continent and the District of
15 Columbia, unless otherwise expressly provided.

16 SEPARABILITY

17 SEC. 45. If any provision of this Act, or the application
18 thereof to any person or circumstances, is held invalid, the
19 remainder of this Act, and the application of such provision
20 to other persons or circumstances, shall not be affected
21 thereby.

A BILL

To amend certain laws of the United States in
light of the admission of the State of Alaska
into the Union, and for other purposes.

By Mr. MURRAY, Mr. ANDERSON, Mr. GOLD-
WATER, Mr. JACKSON, Mr. KUCHEL, and Mr.
O'MAHONEY

MARCH 25, 1959

Read twice and referred to the Committee on Interior
and Insular Affairs

H. R. 6091

AN ACT TO AMEND THE ACTS RELATIVE TO THE

NAVY

Approved March 1, 1907

A BILL

FOR THE PURPOSE OF AMENDING THE ACTS RELATIVE TO THE

NAVY

Approved March 1, 1907

Approved March 1, 1907

Approved March 1, 1907

86TH CONGRESS
1ST SESSION

H. R. 6091

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 1959

Mr. ASPINALL introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Alaska Omnibus Act".

4 FEDERAL JURISDICTION

5 SEC. 2. Section 4 of the Act of July 7, 1958 (72 Stat.
6 339), providing for the admission of the State of Alaska
7 into the Union, is amended by striking out the words "all
8 such lands or other property, belonging to the United States
9 or which may belong to said natives", and inserting in lieu
10 thereof the words "all such lands or other property (includ-

1 ing fishing rights), the right or title to which may be held
2 by said natives or is held by the United States in trust for
3 said natives”.

4 TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

5 SEC. 3. Any Territorial law, as that term is defined in
6 section 8 (d) of the Act of July 7, 1958 (72 Stat. 339,
7 344), providing for the admission of the State of Alaska
8 into the Union—

9 (a) which provides for the regulation of commerce
10 within Alaska by an agency of the United States, and

11 (b) the application of which to the State of Alaska
12 is continued solely by reason of such section 8 (d), shall
13 cease to apply to the State of Alaska on June 30, 1961,
14 or on the effective date of any law enacted by the legis-
15 lature of the State of Alaska which modifies or changes
16 such Territorial law, whichever occurs first.

17 SUGAR ACT

18 SEC. 4. Section 101 of the Sugar Act of 1948, as
19 amended (7 U.S.C., supp. V, sec. 1101), is further amended
20 by adding thereto a new subsection, to be designated subsec-
21 tion “(o)” and to read as follows:

22 “(o) The term ‘continental United States’ means
23 the forty-nine States and the District of Columbia.”

SOIL BANK ACT

1
2 SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C.,
3 supp. V, sec. 1837), is amended to read as follows: "This
4 subtitle B shall apply to the continental United States, except
5 Alaska, and, if the Secretary determines it to be in the na-
6 tional interest, to the State of Alaska, the Territory of
7 Hawaii, the Commonwealth of Puerto Rico, and the Virgin
8 Islands, and as used in this subtitle B, the term 'State' in-
9 cludes Hawaii, Puerto Rico, and the Virgin Islands."

ARMED FORCES

10
11 SEC. 6. (a) Title 10, United States Code, section
12 101 (2), is amended by striking out the words "Alaska,
13 Hawaii," and inserting in lieu thereof the word "Hawaii".

14 (b) Title 10, United States Code, sections 802 (11) and
15 802 (12), are each amended by striking out the words "that
16 part of Alaska east of longitude 172 degrees west,".

17 (c) Title 10, United States Code, section 2662 (c), is
18 amended by striking out the word "Alaska,".

NATIONAL BANK ACT

19
20 SEC. 7. Section 5192 of the Revised Statutes, as
21 amended (12 U.S.C. 144), is further amended by striking
22 out the words "in Alaska or".

1 FEDERAL RESERVE ACT

2 SEC. 8. (a) Section 1 of the Federal Reserve Act, as
3 amended (12 U.S.C. 221), is further amended by deleting
4 the period at the end of such section and inserting in lieu
5 thereof the following: “; the term ‘the continental United
6 States’ means the States of the United States and the District
7 of Columbia.”

8 (b) Section 19 of the Federal Reserve Act, as amended
9 (12 U.S.C. 466), is further amended by striking the words
10 “in Alaska or”.

11 HOME LOAN BANK BOARD

12 SEC. 9. (a) Paragraph (3) of section 2 of the Federal
13 Home Loan Bank Act, as amended (12 U.S.C. 1422 (3)),
14 is further amended by striking out the words “Territories of
15 Alaska and Hawaii” and inserting in lieu thereof the words
16 “Territory of Hawaii”.

17 (b) Section 7 of the Home Owners’ Loan Act of 1933,
18 as amended (12 U.S.C. 1466), is further amended by strik-
19 ing out the words “continental United States, to the Terri-
20 tories of Alaska and Hawaii” and inserting thereof the words
21 “continental United States (including Alaska), to the Terri-
22 tory of Hawaii”.

23 NATIONAL HOUSING ACT

24 SEC. 10. The National Housing Act is amended by—

25 (a) striking out the word “Alaska,” in sections 9,

1 201 (d) , 207 (a) (7) , 601 (d) , 713 (q) , and 801 (g) (12
2 U.S.C., secs. 1706d, 1707 (d) , 1713 (a) (7) , 1736 (d) ,
3 1747 1 (q) ; supp. V, sec. 1748 (g)) ;

4 (b) striking out the words “the Territory of Alaska,”
5 in section 207 (c) (2) (12 U.S.C., supp. V, sec. 1713 (c)
6 (2)) , and inserting the word “Alaska” in lieu thereof;

7 (c) striking out the words “the Territory of Alaska
8 or in Guam” in section 214 (12 U.S.C., supp. V, sec. 1715d,
9 48 U.S.C., supp. V, sec. 484d) , and inserting the words
10 “Alaska, Guam,” in lieu thereof; and

11 (d) striking out the word “Territory” in the two places
12 where it appears in section 806 (12 U.S.C., supp. V, sec.
13 1748e) , inserting the word “State” in lieu thereof.

14 COAST GUARD

15 SEC. 11. Title 14, United States Code, section 634 (b) ,
16 is amended by striking out the words “and for the territory
17 of” in both places where they appear therein.

18 SECURITIES AND EXCHANGE COMMISSION

19 SEC. 12. (a) Paragraph (6) of section 2 of the Securi-
20 ties Act of 1933, as amended (15 U.S.C. 77b (6)) , is
21 further amended by striking out the word “Alaska,”.

22 (b) Paragraph (16) of section 3 (a) of the Securities
23 Exchange Act of 1934, as amended (15 U.S.C. 78c (a)
24 (16)) , is further amended by striking out the word
25 “Alaska,”.

1 (c) Paragraph (18) of section 202 (a) of the Invest-
2 ment Advisers Act of 1940, as amended (15 U.S.C. 80b-2
3 (a) (18)), is further amended by striking out the word
4 "Alaska,".

5 (d) Paragraph (37) of section 2 (a) of the Investment
6 Company Act of 1940, as amended (15 U.S.C. 80a-2 (a)
7 (37)), is further amended by striking out the word
8 "Alaska,".

9 (e) Paragraph (1) of section 6 (a) of the Investment
10 Company Act of 1940, as amended (15 U.S.C. 80a-6 (a)
11 (1)), is further amended by striking out the word "Alaska,".

12 SOIL CONSERVATION

13 SEC. 13. (a) Section 8 (b) of the Soil Conservation and
14 Domestic Allotment Act, as amended (16 U.S.C., supp. V,
15 sec. 590h (b)), is further amended by inserting, immediately
16 following the words "continental United States", the words
17 ", except in Alaska".

18 (b) Section 17 (a) of the Soil Conservation and Do-
19 mestic Allotment Act, as amended (16 U.S.C. 590q (a)),
20 is further amended by striking out the words "the United
21 States, the Territories of Alaska and Hawaii" and inserting
22 in lieu thereof the words "the States, the Territory of
23 Hawaii", and by striking out the word "Alaska" the second
24 time it appears therein.

BALD EAGLES

SEC. 14. Section 1 of the Act of June 8, 1940 (16 U.S.C. 668), is amended by striking out the words "except the Territory of Alaska,".

WILDLIFE RESTORATION

SEC. 15. Section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

FISH RESTORATION

SEC. 16. Section 12 of the Act of August 9, 1950, as amended (16 U.S.C., supp. V, sec. 777k), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

CRIMINAL CODE

SEC. 17. (a) Title 18, United States Code, section 5024, is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words "other than

1 Alaska” and inserting in lieu thereof the words “including
2 Alaska”.

3 (c) Subsections (a) and (b) of this section shall be
4 effective on July 7, 1961, or on the date of the Executive
5 order referred to in section 18 of the Act of July 7, 1958
6 (72 Stat. 339, 350), providing for the admission of the
7 State of Alaska into the Union, whichever occurs first.

8 EDUCATION

9 SEC. 18. (a) (1) Subsection (a) of section 103 of the
10 National Defense Education Act of 1958 (72 Stat. 1580,
11 1582), relating to definition of State, is amended by striking
12 out “Alaska,” each time it appears.

13 (2) Paragraph (3) (B) of section 302 (a) of such
14 Act (72 Stat. 1580, 1588), relating to definition of conti-
15 nental United States for purposes of allotments for science,
16 mathematics and modern foreign language instruction equip-
17 ment, is amended by striking out “does not include Alaska”
18 and inserting in lieu thereof “includes Alaska”.

19 (3) Section 1008 of such Act (72 Stat. 1580, 1605),
20 relating to allotments to Territories, is amended by striking
21 out “Alaska,”.

22 (b) (1) Section 4 of the Act of February 23, 1917
23 (20 U.S.C. 14), relating to allotments for teacher-training,
24 is amended by striking out “\$90,000” and inserting in lieu
25 thereof “\$98,500”. The proviso in the last paragraph of

1 section 5 of such Act (20 U.S.C. 16) and so much of
2 section 12 of such Act (20 U.S.C. 22) as follows the last
3 semicolon shall not be applicable to Alaska prior to the third
4 fiscal year which begins after the enactment of this Act.

5 (2) Paragraph (1) of section 2 of the Vocational
6 Education Act of 1946 (20 U.S.C. 15i), relating to defini-
7 tion of States and Territories, is amended by striking out
8 “the Territories of Alaska and Hawaii” and inserting in lieu
9 thereof “the Territory of Hawaii”.

10 (3) Subsection (e) of section 210 (20 U.S.C., supp. V,
11 sec. 15jj (e)), and subsection (a) of section 307 of such Act
12 (72 Stat. 1580, 1600), relating to definition of State, are
13 each amended by striking out “Alaska,”.

14 (c) Paragraph (13) of section 15 of the Act of Sep-
15 tember 23, 1950, as amended (72 Stat. 548, 558), relat-
16 ing to definition of State, is amended by striking out
17 “Alaska,”.

18 (d) (1) The material in the parentheses in the first sen-
19 tence of subsection (d) of section 3 of the Act of Septem-
20 ber 30, 1950, as amended, relating to determination of local
21 contribution rate, is amended to read: “(other than a local
22 educational agency in Hawaii, Puerto Rico, Wake Island,
23 Guam, or the Virgin Islands, or in a State in which a sub-

1 stantial proportion of the land is in unorganized territory
2 for which a State agency is the local educational agency) ”.

3 (2) The fourth sentence of such subsection is amended
4 by inserting “ (including Alaska) ” after “continental United
5 States” the first time it appears in such sentence. The fifth
6 sentence of such subsection is amended by inserting “ (in-
7 cluding Alaska) ” after “continental United States” the sec-
8 ond time it appears in such sentence.

9 (3) The last sentence of such subsection is amended by
10 striking out “Alaska,” and by inserting after “the Virgin
11 Islands,” the following: “or in any State in which a substan-
12 tial proportion of the land is in unorganized territory for
13 which a State agency is the local educational agency,”.

14 (4) Paragraph (8) of section 9 of such Act (20
15 U.S.C., supp. V, sec. 244 (8)), relating to definition of
16 State, is amended by striking out “Alaska,”.

17 IMPORTATION OF MILK AND CREAM

18 SEC. 19. Subsection (b) of section 9 of the Act of
19 February 15, 1927 (21 U.S.C., sec. 149 (b)), is amended
20 by inserting the words “, including Alaska” immediately fol-
21 lowing the words “continental United States”.

22 OPIUM POPPY CONTROL

23 SEC. 20. Section 12 of the Opium Poppy Control Act
24 of 1942 (21 U.S.C., sec. 188k), is amended by deleting
25 therefrom the words “the Territory of Alaska,”.

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 40 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

(b) Notwithstanding any other provision of this section, any contract entered into by the Federal Government in connection with the activities of the Bureau of Public Roads in Alaska which has not been completed on the date

1 of the transfer provided under subsection (a) hereof may
2 be completed according to the terms thereof.

3 (c) (1) The State of Alaska shall be responsible for
4 the maintenance of roads, including bridges, tunnels, and
5 ferries, transferred to it under subsection (a) of this section,
6 as long as any such road is needed for highway purposes.

7 (2) Federal-aid funds apportioned to Alaska under title
8 23, United States Code, for fiscal year 1960 and prior fiscal
9 years, and unobligated on the date of enactment of this
10 Act, may be used for maintenance of highways on the
11 Federal-aid systems in Alaska.

12 (d) Effective July 1, 1959, the following provisions
13 of law are repealed:

14 (1) Title 23, United States Code, section 103 (f);

15 (2) Title 23, United States Code, section 116 (d);

16 (3) Title 23, United States Code, section 119;

17 (4) Title 23, United States Code, section 120 (h),

18 except that the portion of the first sentence thereof relating

19 to the percentage of funds to be contributed by Alaska shall

20 continue to apply to funds apportioned to Alaska for fiscal

21 year 1960 and prior fiscal years;

22 (5) Sections 107 (b) and (d) of the Federal-Aid
23 Highway Act of 1956 (70 Stat. 374, 377, 378);

24 (6) Section 2 of the Act of January 27, 1905 (33

1 Stat. 616), as amended (48 U.S.C., sec. 322 and the
2 following) ; and

3 (7) The Act of June 30, 1932 (47 Stat. 446), as
4 amended (48 U.S.C., sec. 321 (a) and the following).

5 (e) Effective on July 1, 1959, the following provisions
6 of law are amended:

7 (1) The definition of the term "State" in title 23,
8 United States Code, section 101 (a), is amended to read
9 as follows: "The term 'State' means any one of the forty-
10 nine States, the District of Columbia, Hawaii, or Puerto
11 Rico.";

12 (2) Title 23, United States Code, section 104 (b), is
13 amended by deleting the phrase " , except that only one-third
14 of the area of Alaska shall be included" where it appears in
15 paragraphs (1) and (2) of said section 104 (b) ;

16 (3) Title 23, United States Code, section 116 (a), is
17 amended by deleting the phrase "Except as provided in
18 subsection (d) of this section," and by capitalizing the
19 word "it" immediately following such phrase; and

20 (4) Title 23, United States Code, section 120 (a), is
21 amended by deleting the phrase "subsections (d) and (h) "
22 and by inserting in lieu thereof the phrase "subsection (d) ".

INTERNAL REVENUE

SEC. 22. (a) Section 2202 of the Internal Revenue Code of 1954 (relating to missionaries in foreign service), and sections 3121 (e) (1), 3306 (j), 4221 (d) (4), and 4233 (b) of such Code (each relating to a special definition of "State") are amended by striking out "Alaska,".

(b) Section 4262 (c) (1) of the Internal Revenue Code of 1954 (definition of "continental United States") is amended to read as follows:

"(1) CONTINENTAL UNITED STATES.—The term 'continental United States' means the District of Columbia and the States other than Alaska."

(c) Section 4502 (5) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Hawaii and Alaska" and by inserting in lieu thereof "the Territory of Hawaii".

(d) Section 4774 of the Internal Revenue Code of 1954 (relating to territorial extent of law) is amended by striking out "the Territory of Alaska,".

(e) Section 7621 (b) of the Internal Revenue Code of 1954 (relating to boundaries of internal revenue districts) is amended to read as follows:

"(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite into one

1 district two or more States or a Territory and one or more
2 States.”

3 (f) Section 7653 (d) of the Internal Revenue Code of
4 1954 is amended by striking out “its Territories or posses-
5 sions” and inserting in lieu thereof “its possessions or the
6 Territory of Hawaii”.

7 (g) Section 7701 (a) (9) of the Internal Revenue
8 Code of 1954 (relating to definition of “United States”) is
9 amended by striking out “the Territories of Alaska and
10 Hawaii” and inserting in lieu thereof “the Territory of
11 Hawaii”.

12 (h) Section 7701 (a) (10) of the Internal Revenue
13 Code of 1954 (relating to definition of State) is amended
14 by striking out “Territories” and inserting in lieu thereof
15 “Territory of Hawaii”.

16 (i) The amendments contained in subsections (a)
17 through (h) of this section shall be effective as of January
18 3, 1959.

19 COURTS

20 SEC. 23. (a) Title 28, United States Code, section 48,
21 is amended by striking out the word “Seattle.” and inserting
22 in lieu thereof the words “Seattle, Anchorage.”.

23 (b) Title 28, United States Code, section 81A, is
24 amended by inserting the word “Ketchikan,” immediately
25 following the word “Juneau,”.

1 (c) Such authority as has been exercised by the At-
2 torney General heretofore, with regard to the Federal court
3 system in Alaska, pursuant to section 30 of the Act of June
4 6, 1900 (48 U.S.C. 25), shall continue to be exercised by
5 him after the court created by section 12 (b) of the Act of
6 July 7, 1958 (72 Stat. 339, 348), providing for the ad-
7 mission of the State of Alaska into the Union, is established.

8 (d) All balances of public moneys received by the clerks
9 of each division of the District Court for the Territory of
10 Alaska pursuant to section 10 of the Act of June 6, 1900,
11 as amended (48 U.S.C. 107), which are on hand after all
12 payments ordered by that court shall have been made, shall
13 be covered into the Treasury of the United States as re-
14 quired by law, and the Secretary of the Treasury shall pay
15 the amounts so covered, which are hereby appropriated, to
16 the State of Alaska.

17 VOCATIONAL REHABILITATION ACT

18 SEC. 24. (a) Subsection (g) of section 11 of the Voca-
19 tional Rehabilitation Act (29 U.S.C. supp. V, sec. 41 (g)),
20 relating to definition of State, is amended by striking out
21 "Alaska,".

22 (b) (1) Subsection (i) and paragraph (1) of subsection
23 (h) of such section, relating to definition of allotment per-
24 centages and Federal shares for purposes of allotment and

1 matching for vocational rehabilitation services, are each
2 amended by striking out “(excluding Alaska)” and inserting
3 in lieu thereof “(including Alaska)”.

4 (2) Paragraph (1) of such subsection (h) is further
5 amended by striking out “Alaska,”.

6 (3) Such subsection (i) is further amended by striking
7 out “Hawaii and Alaska” in clause (B) and inserting in
8 lieu thereof “Hawaii”.

9 GOLD RESERVE ACT

10 SEC. 25. Section 15 of the Gold Reserve Act of 1934,
11 as amended (31 U.S.C. 444), is further amended by strik-
12 ing out the words “, the District of Columbia, and the Ter-
13 ritory of Alaska” and inserting in lieu thereof the words
14 “and the District of Columbia”.

15 SILVER PURCHASE ACT

16 SEC. 26. Section 10 of the Silver Purchase Act of 1934
17 (31 U.S.C. 448b) is amended by striking out the words
18 “, the District of Columbia and the Territory of Alaska”
19 and inserting in lieu thereof the words “and the District of
20 Columbia”.

21 NATIONAL GUARD

22 SEC. 27. Title 32, United States Code, section 101 (1),
23 is amended by striking out the words “Alaska, Hawaii,”
24 and inserting in lieu thereof the word “Hawaii”.

1 WATER POLLUTION CONTROL ACT

2 SEC. 28. (a) Paragraph (1) of section 5(h) of the
3 Federal Water Pollution Control Act (33 U.S.C., supp.
4 V, sec. 466d(h)(1)), relating to Federal share for pur-
5 poses of matching for program operation, is amended by
6 striking out “(excluding Alaska)” and inserting in lieu
7 thereof “(including Alaska)” and by striking out, in clause
8 (B), “and Alaska”.

9 (b) Subsection (d) of section 11 of such Act (33
10 U.S.C., supp. V, sec. 466j(d)) is amended by striking
11 out "Alaska,".

12 VETERANS' ADMINISTRATION

13 SEC. 29. (a) Title 38, United States Code, section
14 903 (b), is amended by striking out the words “, or to the
15 place of burial within Alaska if the deceased was a resident
16 of Alaska who had been brought to the United States as a
17 beneficiary of the Veteran’s Administration for hospital or
18 domiciliary care”; by inserting the word “continental” im-
19 mediately before the words “United States” the second time
20 they appear in such section; and by inserting, immediately
21 following the words “continental United States” in both
22 places where they appear in such section, the parenthetical
23 phrase “(including Alaska)”.

(b) Title 38, United States Code, section 2007 (c) , is amended by striking out the word “Alaska.”.

1 FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

2 SEC. 30. (a) Subsection (f) of section 3 of the Federal
3 Property and Administrative Services Act of 1949 (40
4 U.S.C. 472 (f)), is amended by striking out the words
5 “, Hawaii, Alaska,” and inserting in lieu thereof the words
6 “(including Alaska), Hawaii,”.

7 (b) Subsection (a) of section 702 of such Act (40
8 U.S.C., supp. V, sec. 522 (a)), is amended by striking out
9 the words “Territories of Alaska and Hawaii” and inserting
10 in lieu thereof the words “Territory of Hawaii”.

11 PUBLIC HEALTH SERVICE ACT

12 SEC. 31. (a) Subsection (f) of section 2 of the Public
13 Health Service Act (42 U.S.C. 201 (f)), relating to defini-
14 tion of State, is amended by striking out “Hawaii, Alaska,”
15 and inserting in lieu thereof “Hawaii,” and by striking out
16 “, the District of Columbia, or Alaska” and inserting in lieu
17 thereof “or the District of Columbia”.

18 (b) (1) Effective July 1, 1959, section 371 of the
19 Public Health Service Act, as added by the Alaska Mental
20 Health Enabling Act (42 U.S.C., supp. V, sec. 273), is
21 repealed.

22 (2) Subsection (a) of section 372 of such Act (42
23 U.S.C., supp. V, sec. 247 (a)) is amended by striking out
24 “the Territory of”.

25 (3) Subsections (b), (c), and (e) of such section are

1 each amended by striking out "the Territory" each time it
2 appears and inserting in lieu thereof "Alaska".

3 (4) Such subsection (e) is further amended by strik-
4 ing out "the Territory's" and inserting in lieu thereof
5 "Alaska's".

6 (c) (1) Subsection (a) of section 631 of such Act (42
7 U.S.C., supp. V, sec. 291i(a)), relating to definition of
8 allotment percentage for purposes of allotments for construc-
9 tion, is amended by striking out "(excluding Alaska)" and
10 inserting in lieu thereof "(including Alaska)" and by strik-
11 ing out "for Alaska and Hawaii shall be 50 per centum
12 each" in clause (2) and inserting in lieu thereof "for Ha-
13 waii shall be 50 per centum".

14 (2) Subsection (d) of such section, relating to defi-
15 nition of State, is amended by striking out "Alaska,".

16 SOCIAL SECURITY ACT

17 SEC. 32. (a) Paragraph (8) of section 1101(a) of
18 the Social Security Act (72 Stat. 1013, 1050), relating to
19 definition of Federal percentage for purposes of matching
20 for public assistance grants, is amended by striking out
21 "Alaska and" in clause (ii) of subparagraph (A) and by
22 striking out "(excluding Alaska)" in subparagraphs (A)
23 and (B) and inserting in lieu thereof "(including Alaska)".

24 (b) (1) Subsection (a) of section 524 of the Social
25 Security Act (72 Stat. 1013, 1054), relating to definition

1 of allotment percentage for purposes of allotments for child
2 welfare services, is amended by striking out “50 per centum
3 in the case of Alaska and” in clause (B).

4 (2) Subsection (b) of such section, relating to defini-
5 tion of Federal share for purposes of matching for child
6 welfare services, is amended by striking out “50 per centum
7 in the case of Alaska and” in clause (2).

8 (3) Such subsections (a) and (b), and subsection (c)
9 of such section, relating to promulgation of Federal shares
10 and allotment percentages, are each amended by striking out
11 “(excluding Alaska)” and inserting in lieu thereof “(in-
12 cluding Alaska)”.

13 (c) (1) The last sentence of section 202 (i) of the Social
14 Security Act (42 U.S.C., supp. V, sec. 402 (i)), is amended
15 by striking out “forty-eight” and inserting in lieu thereof
16 “forty-nine”.

17 (2) Subsections (h) and (i) of section 210 of such Act
18 (42 U.S.C. 410 (h), (i)), relating to definitions of State
19 and United States for purposes of old-age, survivors, and
20 disability insurance, are each amended by striking out
21 “Alaska,”.

22 (d) (1) Paragraph (1) of section 1101 (a) of the
23 Social Security Act (42 U.S.C., supp. V, sec. 1301 (a)
24 (1)), relating to definition of State, is amended by striking

1 out "Alaska, Hawaii," and inserting in lieu thereof
2 "Hawaii".

3 (2) Paragraph (2) of such section (42 U.S.C. 1301
4 (a) (2)), relating to definition of United States, is amended
5 by striking out "Alaska,".

6 CONGRESSIONAL RECORD

7 SEC. 33. Section 73 of the Act of January 12, 1895,
8 as amended (44 U.S.C., Supp. V, sec. 183), is further
9 amended by striking out the word "Alaska,".

10 FEDERAL REGISTER

11 SEC. 34. Section 8 of the Federal Register Act (44
12 U.S.C., sec. 308), is amended by striking out the paren-
13 thetical phrase "(not including Alaska)" and inserting in
14 lieu thereof the parenthetical phrase "(including Alaska)".

15 AIRPORTS

16 SEC. 35. (a) The Administrator of the Federal Aviation
17 Agency is authorized and directed to transfer to the State
18 of Alaska by appropriate conveyance, and subject to such
19 terms and conditions as he may deem appropriate, all the
20 right, title, and interest of the United States in and to the
21 public airports constructed and operated pursuant to the Act
22 of May 28, 1948, as amended (48 U.S.C. 485 and the fol-
23 lowing), including all, the land, buildings, structures, facili-
24 ties, equipment, and other personal property appurtenant
25 thereto and necessary for the operation thereof, except for

1 such property, real or personal, as the Administrator may
2 determine is needed for the performance of functions of the
3 United States in Alaska after such transfer. Such transfer
4 shall be without monetary consideration to the United States

5 (b) Notwithstanding any other provisions of this sec-
6 tion, any contract entered into by the Federal Aviation
7 Agency in connection with its activities with respect to public
8 airports constructed and operated pursuant to the Act of
9 May 28, 1948, as amended (48 U.S.C. 485 and the follow-
10 ing), which has not been completed by the date of enact-
11 ment of this Act, may be completed according to the terms
12 thereof.

13 SELECTIVE SERVICE

14 SEC. 36. Section 16 (b) of the Universal Military Train-
15 ing and Service Act, as amended (50 U.S.C. app., sec.
16 466 (b)), is further amended by striking out the word
17 "Alaska,".

18 REAL PROPERTY TRANSACTIONS

19 SEC. 37. Section 43 (c) of the Act of August 10, 1956
20 (50 U.S.C. app., supp. V, sec. 2285 (c)), is amended by
21 striking out the word "Alaska,".

22 RECREATION FACILITIES

23 SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat.
24 130), is hereby repealed. There are hereby authorized to
25 be appropriated for the fiscal year ending June 30, 1960,

1 such sums as may be necessary to complete the construction
2 of facilities described in section 1 of such Act, as amended by
3 the Act of August 30, 1957 (71 Stat. 510), if construction
4 was begun prior to June 30, 1959, and to maintain the
5 facilities pending their transfer pursuant to such section.

6 AIRCRAFT LOAN GUARANTEES

7 SEC. 39. Section 3 of the Act of September 7, 1957
8 (71 Stat. 629), is amended by striking out the words "Ter-
9 ritory of Alaska" and inserting in lieu thereof the words
10 "State of Alaska".

11 TRANSITIONAL GRANTS

12 SEC. 40. (a) In order to assist the State of Alaska in
13 accomplishing an orderly transition from Territorial status
14 to statehood, and in order to facilitate the assumption by the
15 State of Alaska of responsibilities hitherto performed in
16 Alaska by the Federal Government, there are hereby author-
17 ized to be appropriated to the President, for the purpose of
18 making transitional grants to the State of Alaska, the sum
19 of \$10,500,000 for the fiscal year ending June 30, 1960;
20 the sum of \$6,000,000 for each of the fiscal years ending
21 June 30, 1961, and June 30, 1962; and the sum of \$2,500,-
22 000 for each of the fiscal years ending June 30, 1963, and
23 June 30, 1964.

24 (b) The Governor of Alaska may submit to the Presi-
25 dent a request that a Federal agency continue to provide

1 services or facilities in Alaska for an interim period, pending
2 the provision of such services or facilities by the State of
3 Alaska. Such interim period shall not extend beyond June
4 30, 1964. In the event of such request, and in the event
5 of the approval thereof by the President, the President may
6 allocate, at his discretion, to such agency the funds necessary
7 to finance the provision of such services or facilities. Such
8 funds shall be allocated from appropriations made pursuant
9 to subsection (a) hereof, and the amount of such funds shall
10 be deducted from the amount of grants available to the State
11 of Alaska pursuant to such subsection.

12 (c) After the transfer or conveyance to the State of
13 Alaska of any property or function pursuant to the Act of
14 July 7, 1958 (72 Stat. 339), providing for the admission
15 of the State of Alaska into the Union, or pursuant to this
16 Act or any other law, and until June 30, 1964, the head of
17 the Federal agency having administrative jurisdiction of such
18 property prior to its transfer or conveyance may contract
19 with the State of Alaska for the performance by such agency,
20 on a reimbursable basis, of some or all of the functions
21 authorized to be performed by it in Alaska immediately pre-
22 ceding such conveyance or transfer.

23 TRANSFER OF PROPERTY

24 SEC. 41. If the President determines that any function
25 performed by the Federal Government in Alaska has been

1 terminated by the Federal Government and that performance
2 of such function or substantially the same function has been
3 or will be assumed by the State of Alaska, the President
4 may, until July 1, 1964, in his discretion, transfer and con-
5 vey to the State of Alaska, without reimbursement, any
6 property or interest in property, real or personal, situated
7 in Alaska which is owned or held by the United States in
8 connection with such function.

9

CLAIMS COMMISSION

10 SEC. 42. (a) In the event that any disputes arise be-
11 tween the United States and the State of Alaska concerning
12 the transfer, conveyance, or other disposal of property to the
13 State of Alaska pursuant to section 6(e) of the Act of
14 July 7, 1958 (72 Stat. 339, 340), providing for the admis-
15 sion of the State of Alaska into the Union, or pursuant to
16 this Act, the President is authorized to appoint a tempo-
17 rary commission of three persons to consider, ascertain, ad-
18 just, determine, and settle such disputes. In carrying out
19 its duties under this section, such commission may hold such
20 hearings, take such testimony, sit and act at such times and
21 places, and incur such expenditures as the commission deems
22 necessary. Any settlement made by such commission under
23 the authority of this section shall be final and conclusive for
24 all purposes, notwithstanding any other provision of law to
25 the contrary.

(b) The commission may, without regard to the civil-service laws and the Classification Act of 1949, employ and fix the compensation of such employees as it deems necessary to carry out its duties under this section. The commission is authorized to use the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the United States Government which it deems necessary to carry out its duties: and each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the commission upon request made by the commission. The commission shall reimburse each such department, agency, or instrumentality for the services of any personnel utilized.

(c) No member of such commission shall be an officer or employee of the United States or of the State of Alaska. Each member of the commission shall be paid compensation at the rate of \$50 per day for each day spent in the work of the commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance in accordance with the provisions of the Travel Expense Act of 1949, as amended, when away from his usual place of residence.

(d) The President is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section. There are hereby authorized to be appropri-

1 ated such sums as may be necessary to enable the commission
2 to perform its duties under this section.

3 EFFECTIVE DATES

4 SEC. 43. (a) The amendments made by paragraph (2)
5 of subsection (a) of section 18, by subsection (a) of sec-
6 tion 28, by paragraph (1) of subsection (c) of section 31,
7 by subsections (a) and (b) of section 32, and, except as
8 provided in subsection (c) of this section, by subsection
9 (b) of section 24, shall be applicable in the case of promul-
10 gations of Federal shares, allotment percentages, allotment
11 ratios, and Federal percentages, as the case may be, made
12 after satisfactory data are available from the Department of
13 Commerce for a full year on the per capita income of Alaska,
14 and for this purpose such promulgations shall, before such
15 data for the full period required by the applicable statutory
16 provision as so amended are available from the Department
17 of Commerce, be based on satisfactory data available from
18 such Department for such one full year or, when such data
19 for a two-year period are available, for such two years.

20 (b) The amendments made by paragraphs (1) and (3)
21 of subsection (a) of section 18 shall be applicable, in the
22 case of allotments under section 302(b) or 502 of the
23 National Defense Education Act of 1958, for fiscal years
24 beginning July 1, 1959, and, in the case of allotments under
25 section 302(a) of such Act, in the case of allotments based

1 on allotment ratios, promulgated under such section 302 (a) ,
2 to which the amendment made by paragraph (2) of sub-
3 section (a) of section 18 of this Act is applicable.

4 (c) (1) The allotment percentage determined for Alaska
5 under section 11 (h) of the Vocational Rehabilitation Act,
6 as amended by this Act, for the first, second, third, and
7 fourth years for which the amendments made by this Act
8 are applicable to such section shall be increased by 76 per
9 centum, 64 per centum, 52 per centum, and 28 per centum,
10 respectively, of the difference between such allotment per-
11 centage for the year involved and 75 per centum.

12 (2) The Federal share for Alaska determined under
13 section 11 (i) of the Vocational Rehabilitation Act, as
14 amended by this Act, for the first year for which the amend-
15 ments made by this Act are applicable to such section shall
16 be increased by 70 per centum of the difference between
17 such Federal share for such year and 60 per centum.

18 (3) If such first year for which such amendments made
19 by this Act are applicable is any fiscal year ending prior
20 to July 1, 1962, the adjusted Federal share for Alaska for
21 such year for purposes of section 2 (b) of the Vocational
22 Rehabilitation Act shall, notwithstanding the provisions of
23 paragraph (3) (A) of such section 2 (b), be the Federal
24 share determined pursuant to paragraph (2) of this sub-
25 section.

1 (d) The amendments made by paragraphs (2) and
2 (3) of subsection (b), by subsection (c), and by paragraph
3 (4) of subsection (d) of section 18; by subsection (a) of
4 section 24; by subsection (b) of section 28; by subsection
5 (a), by subparagraphs (2), (3), and (4) of subsection
6 (b), and by paragraph (2) of subsection (c) of section 31;
7 by paragraph (2) of subsection (c) and by subsection (d)
8 of section 32; and, except as provided in subsection (b) of
9 this section by paragraph (1) of subsection (a) of section
10 18, shall be effective on January 3, 1959.

11 (e) The amendment made by paragraph (1) of subsec-
12 tion (c) of section 32 shall apply in the case of deaths oc-
13 curring on or after January 3, 1959.

14 (f) The amendments made by paragraph (1) of sub-
15 section (b) and paragraphs (1), (2), and (3) of subsec-
16 tion (d) of section 18 shall be applicable for fiscal years
17 beginning July 1, 1959.

18 DEFINITION OF "CONTINENTAL UNITED STATES"

19 SEC. 44. Whenever the phrase "continental United
20 States" is used in any law of the United States enacted after
21 the date of enactment of this Act, it shall mean the forty-
22 nine States on the North American Continent and the Dis-
23 trict of Columbia, unless otherwise expressly provided.

SEPARABILITY

SEC. 45. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

86TH CONGRESS
1ST SESSION

H. R. 6091

A BILL

To amend certain laws of the United States in
light of the admission of the State of Alaska
into the Union, and for other purposes.

By Mr. ASPINALL

MARCH 26, 1959

Referred to the Committee on Interior and Insular
Affairs

May 11, 1959

HOUSE

17. APPROPRIATIONS. Passed with amendments H. R. 7040, the independent offices appropriation bill for 1960. The Appropriations Committee had reported this bill during recess on May 8 (H. Rept. 350). pp. 7084-5, 7090-7127, 7138
As passed, the bill provides that no Civil Service Commission funds will be available for the Career Executive Board established in 1958. It includes funds for the following agencies: Office of Civil and Defense Mobilization, Civil Aeronautics Board, Civil Service Commission, Federal Aviation Agency, Federal Power Commission, Federal Trade Commission, General Accounting Office, General Services Administration, Housing and Home Finance Agency, Interstate Commerce Commission, National Science Foundation, Selective Service System, and Veterans Administration.
18. FEED GRAINS. Rep. Smith, Iowa, stated that many of the same Representatives who are complaining about low egg prices have been advocates of low feed grain prices and argued that "feed grain prices at 90 to 100% of parity would, in fact, be a long-term stabilizer for the price of eggs." p. 7084
19. MILK. Rep. Johnson, Wis., expressed his satisfaction with the "interest" shown by many in his bill to standardize milk laws and listed three additional sponsors of his bill. p. 7085
20. LOANS; FOREIGN AFFAIRS. Both Houses received from the President a message on the Agreement for the establishment of the Inter-American Development Bank together with a Special Report on the National Advisory Council on International Monetary and Financial Problems recommending U. S. participation as a member of such Bank (H. Doc. 133). pp. 6975, 7085-6
21. FORESTRY. Rep. Sikes commended the Secretary's report, "Program for the National Forests," as a "complete appraisal of what needs to be done in the next 10 to 15 years and up to the year 2000" in the national forests, and complimented Assistant Secretary Peterson for his part in the preparation of the program. p. 7133
22. HEALTH RESERACH. Rep. Roberts discussed his bill, H. J. Res. 361, to establish a National Institute for International Health and Medical Reserach. pp. 7127-8
23. INFLATION; FARM PROGRAM. Rep. O'Hara inserted a letter by Sen. Douglas warning against administered price inflation, urging a balanced budget, and suggesting upper limits of \$2,000 on farm support payments to any one producer and a shifting of government participation in the farm program by guaranteeing income and not holding up prices. pp. 7133-6
24. PERSONNEL. Subcommittee No. 1 of the D. C. Committee ordered reported to the full committee with amendment H. R. 4283, relating to exemption of certain members of executive branch of Government from paying income tax in the District. p. D338
25. ALASKA. The Subcommittee on Territorial and Insular Affairs of the Interior and Insular Affairs Committee ordered reported with amendment to the full committee H. R. 6091, to amend certain laws of the U. S. in light of admission of the State of Alaska into the Union. p. D339
26. HOUSING. Received from the Comptroller General a report on their review of the Home Mortgage Section, Mortgage Insurance Division, Federal Housing Administration, Housing and Home Finance Agency. (H. Doc. 130). p. 7137

27. FEED GRAINS. H. R. 5432, relating to feed grain price supports, as reported with amendments by the Agriculture Committee on May 6 (see Digest 72), provides that beginning with the 1959 crop, price support for oats, rye, barley, and grain sorghums shall bear the same ratio to the support price of corn as the feed value of the commodity bears to the feed value of corn, provided that the level of the support price for each commodity shall not exceed the percentage of parity at which price support is established for corn; and provides that the price support for the 1959 crop of soybeans shall be at a level not less than that provided for the 1958 crop.

ITEMS IN APPENDIX

28. MILK. Sen. McCarthy inserted his statement dealing with the subject of legislation relating to sanitary regulations in connection with milk. pp. A3881-2
Extension of remarks of Rep. Reuss urging a uniform national standard for milk sanitation. pp. A3951-2
29. CONSERVATION. Sen. Randolph inserted an address stressing the importance of and urging increased programs for "conservation education." pp. A3882-3
30. EXTENSION SERVICE. Extension of remarks of Rep. Boykin inserting an Auburn University Extension Service letter paying tribute to P. O. Davis, who recently retired as the director of the extension service at Auburn. pp. A3886-8
31. FOREIGN AID. Sen. Moss inserted an address by Sen. Humphrey favoring foreign aid programs. pp. A3893-4
Rep. Fulton inserted Asst. Secretary of State Robertson's testimony in support of the foreign aid program. pp. A3935-7
32. FARM PROGRAM. Extension of remarks of Sen. Hruska stating that "the unfairness and inaccuracy of some of the city press ... in regard to the appropriations bill for the Department of Agriculture, totaling an amount approximating \$7 billion, is very unfair," and inserting a letter to the editor of Life magazine on this subject. pp. A3896-8
Extension of remarks of Rep. Gross inserting an editorial criticizing the administration's farm program. p. A3954
33. WATER RESOURCES. Rep. Evins inserted Maj. Gen. Itschner's testimony describing the development and achievements of water resources programs in other lands. pp. A3919-21
34. SMALL BUSINESS. Extension of remarks of Rep. Weaver inserting an address by the exec. vice chairman of the Nat'l Resources Development Ass'n and stating that it calls attention to a "new threat to the construction industry -- the invasion of that industry by the Small Business Administration." pp. A3945-6
35. INDUSTRIAL USES. Extension of remarks of Rep. Brock protesting the proposed sale by GSA of the Omaha alcohol plant until such time as Congress has the opportunity to consider and enact legislation which would provide for the increased use of agricultural products for industrial uses, and inserting a Nebr. Legislature resolution on this subject. p. A3951

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of May 13, 1959
86th-1st, No. 76

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HIGHLIGHTS: House committee ordered reported bill to set price supports at 90% of parity on wheat. Senate received President's message on wheat, housing, and highways. Sen. Aiken and others defended farm program against recent attacks. House committee adopted resolution urging purchase, diversion, and export of eggs and poultry products. House committee ordered reported bill to extend Reorganization Act.

HOUSE

1. WHEAT. The Agriculture Committee ordered reported with amendment H. R. 6737, which would set price supports on wheat at 90% of parity with acreage allotment reductions of 30%. p. D349
2. POULTRY AND EGGS. The Agriculture Committee adopted a resolution requesting the Secretary "to review all existing authority and available funds with the purpose of immediately and fully implementing in every practical manner such programs of purchase, diversion, and export of eggs and poultry products as will lead to improvement in the present critical situation in the poultry industry." p. D349
3. ORGANIZATION. The Government Operations Committee ordered reported with amendment H. R. 5140, to extend the Reorganization Act of 1949. p. D350
4. PROPERTY. The Government Operations Committee ordered reported with amendment S. 900, to extend the authority of GSA to pay direct expenses in connection with the utilization of excess real property and related personalty. p. D350
5. RECLAMATION. The Interior and Insular Affairs Committee ordered reported H. R. 5687 (amended and a clean bill will be introduced), to construct the San Luis unit of the Central Valley project, California. p. D350

6. ALASKA. The Interior and Insular Affairs Committee ordered reported with amendment H. R. 6091, to amend certain laws of the U. S. in light of the admission of the State of Alaska into the Union. p. D350

SENATE

7. PRESIDENT'S MESSAGE. Received from the President a message urging Congress to take prompt action to enact legislation dealing with the wheat, housing, and highway situations. pp. 7210-12
Sen. Dirksen commended the President's message and urged Congress to enact legislation to carry out his recommendations. pp. 7211-12
8. FARM PROGRAM. Sen. Aiken defended the farm program against recent attacks by "newspaper and magazine articles, business organizations, some Government officials, and many individuals" as having "cast confusion and suspicion into the public mind," discussed the background and importance of the farm program to the nation, urged enactment of new legislation "to correct abuses and to put us on a sounder and more practical basis," and contended that "It is time to lay aside spite and prejudice, to take farm policies out of politics and to concentrate on maintaining, improving, and modernizing farm programs before it is too late." pp. 7219-23
Sens. Carlson, Mansfield, and Williams, Del., commended Sen. Aiken's statement and his service to agriculture. pp. 7221-2
Sen. Williams, Del., inserted a newspaper article, "Land Leased at 25 Cents Per Acre, \$8 Gained From Soil Bank -- Huge New Mexico Farm Profits Bared," discussing the practice of individuals leasing land from the State and placing it in the soil bank at a profit, including reference to one employee of this Department who has participated in this practice. pp. 7222-3
9. MILITARY CONSTRUCTION; SURPLUS COMMODITIES. The Armed Services Committee ordered reported with amendment H. R. 5674, the military construction authorization bill, which includes authorization for the use of foreign currencies accumulated under Public Law 480 for foreign military housing. pp. D347-8
10. TRANSPORTATION TAXES. The Interstate and Foreign Commerce Committee "adopted a committee resolution favoring passage of S. 5, to repeal the tax on transportation of persons." p. D348
11. FORESTRY. Sen. Neuberger inserted an article by the assistant ranger for the Klamath District of the Forest Service, "Timber Resources on Our National Forests Play Big Part in U. S. Economy," discussing sustained yield and multiple use forest practices. pp. 7213-14
12. ATOMIC RADIATION. Sen. Bridges inserted an editorial, "Fallout in Perspective," discussing the danger of radiation from atomic fallout. pp. 7214-5
13. FOREIGN AFFAIRS. Sen. Sparkman inserted an address by the Commissioner-General for Economic Affairs of India, "India's Developments: Problems and Programs," discussing the need for the economic development of that country. pp. 7200-02
14. EDUCATION; PROPERTY. Received from the Department of Health, Education, and Welfare a proposed bill "to amend Public Laws 815 and 874, 81st Congress, relating to school assistance in federally affected areas, so as to limit payments under such laws to situations involving tax-exempt Federal property"; to Labor and Public Welfare Committee. p. 7186

H. R. 7120

OF THE HOUSE OF REPRESENTATIVES

IN SENATE

OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES
WASHINGTON, D. C. 20540

OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES

A BILL

FOR THE PURPOSE OF AMENDING THE ACT OF MARCH 3, 1879,
RELATIVE TO THE MANNER OF ASSESSING THE VALUE OF
PROPERTY FOR TAXATION, AND FOR OTHER
PURPOSES.

Enacted by the Senate and House of Representatives
of the United States of America in Congress assembled,

86TH CONGRESS
1ST SESSION

H. R. 7120

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1959

Mr. ASPINALL introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Alaska Omnibus Act".

4 FEDERAL JURISDICTION

5 SEC. 2. (a) Section 4 of the Act of July 7, 1958 (72
6 Stat. 339), providing for the admission of the State of
7 Alaska into the Union, is amended by striking out the words
8 "all such lands or other property, belonging to the United
9 States or which may belong to said natives", and inserting in
10 lieu thereof the words "all such lands or other property (in-

cluding fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives”.

(b) Section 6 (e) of said Act is amended by striking out the word “legislative” and inserting in lieu thereof the word “calendar”.

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

SEC. 3. Any Territorial law, as that term is defined in section 8 (d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union—

(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

(b) the application of which to the State of Alaska is continued solely by reason of such section 8 (d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

SUGAR ACT

SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection “(o)” and to read as follows:

1 “(o) The term ‘continental United States’ means
2 the forty-nine States and the District of Columbia.”

3 SOIL BANK ACT

4 SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C.,
5 supp. V, sec. 1837), is amended to read as follows: “This
6 subtitle B shall apply to the continental United States, except
7 Alaska, and, if the Secretary determines it to be in the
8 national interest, to the State of Alaska, the Territory of
9 Hawaii, the Commonwealth of Puerto Rico, and the Virgin
10 Islands, and as used in this subtitle B, the term ‘State’ in-
11 cludes Hawaii, Puerto Rico, and the Virgin Islands.”

12 ARMED FORCES

13 SEC. 6. (a) Title 10, United States Code, section
14 101 (2), is amended by striking out the words “Alaska,
15 Hawaii,” and inserting in lieu thereof the word “Hawaii”.

16 (b) Title 10, United States Code, sections 802 (11) and
17 802 (12), are each amended by striking out the words “that
18 part of Alaska east of longitude 172 degrees west,”.

19 (c) Title 10, United States Code, section 2662 (c), is
20 amended by striking out the word “Alaska,”.

21 NATIONAL BANK ACT

22 SEC. 7. Section 5192 of the Revised Statutes, as
23 amended (12 U.S.C. 144), is further amended by striking
24 out the words “in Alaska or”.

FEDERAL RESERVE ACT

SEC. 8. (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C. 221), is further amended by deleting the period at the end of such section and inserting in lieu thereof the following: “; the term ‘the continental United States’ means the States of the United States and the District of Columbia.”

(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C. 466), is further amended by striking the words “in Alaska or”.

HOME LOAN BANK BOARD

SEC. 9. (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1422 (3)), is further amended by striking out the words “Territories of Alaska and Hawaii” and inserting in lieu thereof the words “Territory of Hawaii”.

(b) Section 7 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1466), is further amended by striking out the words "continental United States, to the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "continental United States (including Alaska), to the Territory of Hawaii".

NATIONAL HOUSING ACT

SEC. 10. The National Housing Act is amended by—

(a) striking out the word “Alaska,” in section 9,

201 (d), 207 (a) (7), 601 (d), 713 (q), and 801 (g) (12 U.S.C., secs. 1706d, 1707 (d), 1713 (a) (7), 1756 (d), 1747 1 (q) ; supp. V, sec. 1748 (g)) ;

(b) striking out the words “the Territory of Alaska,” in section 207 (c) (2) (12 U.S.C., supp. V, sec. 1713 (c) (2)), and inserting the word “Alaska” in lieu thereof;

(c) striking out the words “the Territory of Alaska or in Guam” in section 214 (12 U.S.C., supp. V, sec. 1715d, 48 U.S.C., supp. V, sec. 484d), and inserting the words “Alaska, Guam,” in lieu thereof; and

(d) striking out the word “Territory” in the two places where it appears in section 806 (12 U.S.C., supp. V, sec. 1748e), inserting the word “State” in lieu thereof.

COAST GUARD

SEC. 11. Title 14, United States Code, section 634 (b), is amended by striking out the words “and for the territory of” in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

SEC. 12. (a) paragraph (6) of section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b (6)), is further amended by striking out the word “Alaska,”.

(b) Paragraph (16) of section 3 (a) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c (a)

1 (16)), is further amended by striking out the word
2 “Alaska,”.

3 (c) Paragraph (18) of section 202 (a) of the Invest-
4 ment Advisers Act of 1940, as amended (15 U.S.C. 80b-2
5 (a) (18)), is further amended by striking out the word
6 “Alaska,”.

7 (d) Paragraph (37) of section 2 (a) of the Investment
8 Company Act of 1940, as amended (15 U.S.C. 80a-2 (a)
9 (37)), is further amended by striking out the word
10 “Alaska,”.

11 (e) Paragraph (1) of section 6 (a) of the Investment
12 Company Act of 1940, as amended (15 U.S.C. 80a-6 (a)
13 (1)), is further amended by striking out the word “Alaska,”.

14 SOIL CONSERVATION

15 SEC. 13. (a) Section 8 (b) of the Soil Conservation and
16 Domestic Allotment Act, as amended (16 U.S.C., supp. V,
17 sec. 590h (b)), is further amended by inserting, immediately
18 following the words “continental United States”, the words
19 “, except in Alaska”.

20 (b) Section 17 (a) of the Soil Conservation and Do-
21 mestic Allotment Act, as amended (16 U.S.C. 590q (a)),
22 is further amended by striking out the words “the United
23 States, the Territories of Alaska and Hawaii” and inserting
24 in lieu thereof the words “the States, the Territory of

1 Hawaii", and by striking out the word "Alaska" the second
2 time it appears therein.

3 BALD EAGLES

4 SEC. 14. Section 1 of the Act of June 8, 1940 (16
5 U.S.C. 668), is amended by striking out the words "except
6 the Territory of Alaska,".

7 WILDLIFE RESTORATION

8 SEC. 15. Section 8(a) of the Act of September 2,
9 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is
10 further amended by striking out the words "the Alaska
11 Game Commission," "said Territory of Alaska," "not ex-
12 ceeding \$75,000 for Alaska, and", and "the Territory of
13 Alaska,".

14 FISH RESTORATION

15 SEC. 16. Section 12 of the Act of August 9, 1950, as
16 amended (16 U.S.C., supp. V, sec. 777k), is further
17 amended by striking out the words "the Alaska Game Com-
18 mission," "said Territory of Alaska," "not exceeding
19 \$75,000 for Alaska, and", and "the Territory of Alaska,".

20 CRIMINAL CODE

21 SEC. 17. (a) Title 18, United States Code, section
22 5024, is amended by striking out the words "other than
23 Alaska" and inserting in lieu thereof the words "including
24 Alaska".

1 (b) Section 6 of the Act of August 25, 1958 (72 Stat.
2 845, 847), is amended by striking out the words "other than
3 Alaska" and inserting in lieu thereof the words "including
4 Alaska".

5 (c) Subsections (a) and (b) of this section shall be
6 effective on July 7, 1961, or on the date of the Executive
7 order referred to in section 18 of the Act of July 7, 1958
8 (72 Stat. 339, 350), providing for the admission of the
9 State of Alaska into the Union, whichever occurs first.

10 (d) Title 18 United States Code, section 1385, is
11 amended by deleting the last sentence thereof.

12 EDUCATION

13 SEC. 18. (a) (1) Subsection (a) of section 103 of the
14 National Defense Education Act of 1958 (72 Stat. 1580,
15 1582), relating to definition of State, is amended by striking
16 out "Alaska", each time it appears.

17 (2) Paragraph (3) (B) of section 302 (a) of such
18 Act (72 Stat. 1580, 1588), relating to definition of
19 continental United States for purposes of allotments for
20 science, mathematics and modern foreign language instruc-
21 tion equipment, is amended by striking out "does not in-
22 clude Alaska" and inserting in lieu thereof "includes Alaska".

23 (3) Section 1008 of such Act (72 Stat. 1580, 1605),
24 relating to allotments to Territories, is amended by striking
25 out "Alaska,".

1 (b) (1) Section 4 of the Act of February 23, 1917
 2 (20 U.S.C. 14), relating to allotments for teacher-training,
 3 is amended by striking out “\$90,000” and inserting in lieu
 4 thereof “\$98,500”. The proviso in the last paragraph of
 5 section 5 of such Act (20 U.S.C. 16) and so much of
 6 section 12 of such Act (20 U.S.C. 22) as follows the last
 7 semicolon shall not be applicable to Alaska prior to the third
 8 fiscal year which begins after the enactment of this Act.

9 (2) Paragraph (1) of section 2 of the Vocational
 10 Education Act of 1946 (20 U.S.C. 15i), relating to defini-
 11 tion of States and Territories, is amended by striking out
 12 “the Territories of Alaska and Hawaii” and inserting in lieu
 13 thereof “the Territory of Hawaii”.

14 (3) Subsection (e) of section 210 (20 U.S.C., supp. V,
 15 sec. 15jj (e)), and subsection; (a) of section 307 of such Act
 16 (72 Stat. 1580, 1600), relating to definition of State, are
 17 each amended by striking out “Alaska,”.

18 (c) Paragraph (13) of section 15 of the Act of Sep-
 19 tember 23, 1950, as amended (72 Stat. 548, 558), relat-
 20 ing to definition of State, is amended by striking out
 21 “Alaska,”.

22 (d) (1) The material in the parentheses in the first sen-
 23 tence of subsection (d) of section 3 of the Act of Septem-
 24 ber 30, 1950, as amended, relating to determination of local

1 contribution rate, is amended to read: “(other than a local
2 educational agency in Hawaii, Puerto Rico, Wake Island,
3 Guam, or the Virgin Islands, or in a State in which a sub-
4 stantial proportion of the land is in unorganized territory
5 for which a State agency is the local educational agency) ”.

6 (2) The fourth sentence of such subsection is amended
7 by inserting “(including Alaska)” after “continental United
8 States” the first time it appears in such sentence. The fifth
9 sentence of such subsection is amended by inserting “(in-
10 cluding Alaska)” after “continental United States” the sec-
11 ond time it appears in such sentence.

12 (3) The last sentence of such subsection is amended
13 by striking out “Alaska,” and by inserting after “the Virgin
14 Islands,” the following: “or in any State in which a substan-
15 tial proportion of the land is in unorganized territory for
16 which a State agency is the local educational agency,”.

17 (4) Paragraph (8) of section 9 of such Act (20
18 U.S.C., supp. V, sec. 244(8)), relating to definition of
19 State, is amended by striking out “Alaska,”.

20 IMPORTATION OF MILK AND CREAM

21 SEC. 19. Subsection (b) of section 9 of the Act of
22 February 15, 1927 (21 U.S.C., sec. 149(b)), is amended
23 by inserting the words “, including Alaska” immediately fol-
24 lowing the words “continental United States”.

OPIUM POPPY CONTROL

SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C., sec. 188k), is amended by deleting therefrom the words "the Territory of Alaska,".

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 40 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal

1 ownership for purposes other than or in addition to road
2 purposes.

3 (b) Notwithstanding any other provision of this sec-
4 tion, any contract entered into by the Federal Government
5 in connection with the activities of the Bureau of Public
6 Roads in Alaska which has not been completed on the date
7 of the transfer provided under subsection (a) hereof may
8 be completed according to the terms thereof.

9 (c) (1) The State of Alaska shall be responsible for
10 the maintenance of roads, including bridges, tunnels, and
11 ferries, transferred to it under subsection (a) of this section,
12 as long as any such road is needed for highway purposes:

13 (2) Federal-aid funds, apportioned to Alaska under title
14 23, United States Code, for fiscal year 1960 and prior fiscal
15 years, and unobligated on the date of enactment of this
16 Act, may be used for maintenance of highways on the
17 Federal-aid systems in Alaska.

18 (d) Effective July 1, 1959, the following provisions
19 of law are repealed:

20 (1) Title 23, United States Code, section 103 (f) ;

21 (2) Title 23, United States Code, section 116 (d) ;

22 (3) Title 23, United States Code, section 119 ;

23 (4) Title 23, United States Code, section 120 (h) ;

1 except that the portion of the first sentence thereof relating
2 to the percentage of funds to be contributed by Alaska shall
3 continue to apply to funds apportioned to Alaska for fiscal
4 year 1960 and prior fiscal years;

5 (5) Sections 107 (b) and (d) of the Federal-Aid
6 Highway Act of 1956 (70 Stat. 374, 377, 378) ;

7 (6) Section 2 of the Act of January 27, 1905 (33
8 Stat. 616), as amended (48 U.S.C., sec. 322 and the
9 following) ; and

10 (7) The Act of June 30, 1932 (47 Stat. 446), as
11 amended (48 U.S.C., sec. 321 (a) and the following) .

12 (e) Effective on July 1, 1959, the following provisions
13 of law are amended:

14 (1) The definition of the term "State" in title 23,
15 United States Code, section 101 (a), is amended to read
16 as follows: "The term 'State' means any one of the forty-
17 nine States, the District of Columbia, Hawaii, or Puerto
18 Rico." ;

19 (2) Title 23, United States Code, section 104 (b), is
20 amended by deleting the phrase " , except that only one-third
21 of the area of Alaska shall be included" where it appears in
22 paragraphs (1) and (2) of said section 104 (b) ;

23 (3) Title 23, United States Code, section 116 (a), is

1 amended by deleting the phrase "Except as provided in
2 subsection (d) of this section," and by capitalizing the
3 word "it" immediately following such phrase; and

4 (4) Title 23, United States Code, section 120 (a), is
5 amended by deleting the phrase "subsections (d) and (h)"
6 and by inserting in lieu thereof the phrase "subsection (d)".

7 INTERNAL REVENUE

8 SEC. 22. (a) Section 2202 of the Internal Revenue
9 Code of 1954 (relating to missionaries in foreign service),
10 and sections 3121 (e) (1), 3306 (j), 4221 (d) (4), and 4233
11 (b) of such Code (each relating to a special definition of
12 "State") are amended by striking out "Alaska,".

13 (b) Section 4262 (c) (1) of the Internal Revenue Code
14 of 1954 (definition of "continental United States") is
15 amended to read as follows:

16 "(1) CONTINENTAL UNITED STATES.—The term
17 'continental United States' means the District of Colum-
18 bia and the States other than Alaska."

19 (c) Section 4502 (5) of the Internal Revenue Code of
20 1954 (relating to definition of "United States") is amended
21 by striking out "the Territories of Hawaii and Alaska" and
22 by inserting in lieu thereof "the Territory of Hawaii".

23 (d) Section 4774 of the Internal Revenue Code of 1954

1 (relating to territorial extent of law) is amended by striking
2 out “the Territory of Alaska,”.

3 (e) Section 7621 (b) of the Internal Revenue Code of
4 1954 (relating to boundaries of internal revenue districts) is
5 amended to read as follows:

6 “(b) BOUNDARIES.—For the purpose mentioned in sub-
7 section (a), the President may subdivide any State, Ter-
8 ritory, or the District of Columbia, or may unite into one
9 district two or more States or a Territory and one or more
10 States.”

11 (f) Section 7653 (d) of the Internal Revenue Code of
12 1954 is amended by striking out “its Territories or posses-
13 sions” and inserting in lieu thereof “its possessions or the
14 Territory of Hawaii”.

15 (g) Section 7701 (a) (9) of the Internal Revenue
16 Code of 1954 (relating to definition of “United States”) is
17 amended by striking out “the Territories of Alaska and Ha-
18 waii” and inserting in lieu thereof “the Territory of Hawaii”.

19 (h) Section 7701 (a) (10) of the Internal Revenue
20 Code of 1954 (relating to definition of State) is amended
21 by striking out “Territories” and inserting in lieu thereof
22 “Territory of Hawaii”.

23 (i) The amendments contained in subsections (a)

1 through (h) of this section shall be effective as of January
2 3, 1959.

3 COURTS

4 SEC. 23. (a) Title 28, United States Code, section 48,
5 is amended by striking out the word "Seattle." and inserting
6 in lieu thereof the words "Seattle, Anchorage."

7 (b) Title 28, United States Code, section 81A, is
8 amended by inserting the word "Ketchikan," immediately
9 following the word "Juneau,".

10 (c) Such authority as has been exercised by the At-
11 torney General heretofore, with regard to the Federal court
12 system in Alaska, pursuant to section 30 of the Act of June
13 6, 1900 (48 U.S.C. 25), shall continue to be exercised by
14 him after the court created by section 12 (b) of the Act of
15 July 7, 1958 (72 Stat. 339, 348), providing for the ad-
16 mission of the State of Alaska into the Union, is established.

17 (d) All balances of public moneys received by the clerks
18 of each division of the District Court for the Territory of
19 Alaska pursuant to section 10 of the Act of June 6, 1900,
20 as amended (48 U.S.C. 107), which are on hand after all
21 payments ordered by that court and approval by the Admin-
22 istrative Office of the United States Courts shall have been
23 made, shall be covered into the Treasury of the United

1 States as required by law, and the Secretary of the Treasury
2 shall pay the amounts so covered, which are hereby appro-
3 priated, to the State of Alaska.

4 VOCATIONAL REHABILITATION ACT

5 SEC. 24. (a) Subsection (g) of section 11 of the Voca-
6 tional Rehabilitation Act (29 U.S.C. supp. V, sec. 41 (g)),
7 relating to definition of State, is amended by striking out
8 "Alaska,".

9 (b) (1) Subsection (i) and paragraph (1) of subsec-
10 tion (h) of such section, relating to definition of allotment
11 percentages and Federal shares for purposes of allotment and
12 matching for vocational rehabilitation services, are each
13 amended by striking out "(excluding Alaska)" and inserting
14 in lieu thereof "(including Alaska)".

15 (2) Paragraph (1) of such subsection (h) is further
16 amended by striking out "Alaska,".

17 (3) Such subsection (i) is further amended by striking
18 out "Hawaii and Alaska" in clause (B) and inserting in
19 lieu thereof "Hawaii".

20 GOLD RESERVE ACT

21 SEC. 25. Section 15 of the Gold Reserve Act of 1934,
22 as amended (31 U.S.C. 444), is further amended by strik-

1 ing out the words “, the District of Columbia, and the Ter-
2 ritory of Alaska” and inserting in lieu thereof the words
3 “and the District of Columbia”.

4 SILVER PURCHASE ACT

5 SEC. 26. Section 10 of the Silver Purchase Act of 1934
6 (31 U.S.C. 448b) is amended by striking out the words
7 “, the District of Columbia and the Territory of Alaska”
8 and inserting in lieu thereof the words “and the District of
9 Columbia”.

10 NATIONAL GUARD

11 SEC. 27. Title 32, United States Code, section 101 (1) ,
12 is amended by striking out the words “Alaska, Hawaii,”
13 and inserting in lieu thereof the word “Hawaii”.

14 WATER POLLUTION CONTROL ACT

15 SEC. 28. (a) Paragraph (1) of section 5(h) of the
16 Federal Water Pollution Control Act (33 U.S.C., supp.
17 V. sec. 466d(h)(1)), relating to Federal share for pur-
18 poses of matching for program operation, is amended by
19 striking out “(excluding Alaska)” and inserting in lieu
20 thereof “(including Alaska)” and by striking out in clause
21 (B); “and Alaska”.

22 (b) Subsection (d) of section 11 of such Act (33
23 U.S.C., supp. V., sec. 466j(d)) is amended by striking
24 out “Alaska,”.

VETERANS' ADMINISTRATION

SEC. 29. (a) Title 38, United States Code, section 903 (b), is amended by striking out the words “, or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veteran’s Administration for hospital or domiciliary care”; by inserting the word “continental” immediately before the words “United States” the second time they appear in such section; and by inserting immediately following the words “continental United States” in both places where they appear in such section, the parenthetical phrase “(including Alaska)”.

(b) Title 38, United States Code, section 2007 (c), is amended by striking out the word “Alaska,”.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

SEC. 30. (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472 (f)), is amended by striking out the words “, Hawaii, Alaska,” and inserting in lieu thereof the words “(including Alaska), Hawaii,”.

(b) Subsection (a) of section 702 of such Act (40 U.S.C., supp. V, sec. 522 (a)), is amended by striking out the words “Territories of Alaska and Hawaii” and inserting in lieu thereof the words “Territory of Hawaii”.

1 PUBLIC HEALTH SERVICE ACT

2 SEC. 31. (a) Subsection (f) of section 2 of the Public
3 Health Service Act (42 U.S.C. 201 (f)), relating to defini-
4 tion of State, is amended by striking out "Hawaii, Alaska,"
5 and inserting in lieu thereof "Hawaii," and by striking out
6 ", the District of Columbia, or Alaska" and inserting in lieu
7 thereof "or the District of Columbia".

8 (b) (1) Effective July 1, 1959, section 371 of the
9 Public Health Service Act, as added by the Alaska Mental
10 Health Enabling Act (42 U.S.C., supp. V, sec. 273), is
11 repealed.

12 (2) Subsection (a) of section 372 of such Act (42
13 U.S.C., supp. V, sec. 274 (a)) is amended by striking
14 out "the Territory of".

15 (3) Subsections (b), (c), and (e) of such section are
16 each amended by striking out "the Territory" each time it
17 appears and inserting in lieu thereof "Alaska".

18 (4) Such subsection (e) is further amended by strik-
19 ing out "the Territory's" and inserting in lieu thereof
20 "Alaska's".

21 (c) (1) Subsection (a) of section 631 of such Act (42
22 U.S.C., supp. V, sec. 291i (a)), relating to definition of
23 allotment percentage for purposes of allotments for construc-
24 tion, is amended by striking out "(excluding Alaska)" and
25 inserting in lieu thereof "(including Alaska)" and by strik-

ing out “for Alaska and Hawaii shall be 50 per centum each” in clause (2) and inserting in lieu thereof “for Hawaii shall be 50 per centum”.

(2) Subsection (d) of such section, relating to definition of State, is amended by striking out “Alaska,”.

SOCIAL SECURITY ACT

SEC. 32. (a) Paragraph (8) of section 1101 (a) of the Social Security Act (72 Stat. 1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out “Alaska and” in clause (ii) of subparagraph (A) and by striking out “(excluding Alaska)” in subparagraphs (A) and (B) and inserting in lieu thereof “(including Alaska)”.

(b) (1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out “50 per centum in the case of Alaska and” in clause (B).

(2) Subsection (b) of such section, relating to definition of Federal share for purposes of matching for child welfare services, is amended by striking out “50 per centum in the case of Alaska and” in clause (2).

(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares

1 and allotment percentages, are each amended by striking out
2 “(excluding Alaska)” and inserting in lieu thereof “(in-
3 cluding Alaska)”.

4 (c) (1) The last sentence of section 202 (i) of the Social
5 Security Act (42 U.S.C., supp. V, sec. 402 (i)), is amended
6 by striking out “forty-eight” and inserting in lieu thereof
7 “forty-nine”.

8 (2) Subsections (h) and (i) of section 210 of such Act
9 (42 U.S.C. 410 (h), (i)), relating to definitions of State
10 and United States for purposes of old-age, survivors, and
11 disability insurance, are each amended by striking out
12 “Alaska,”.

13 (d) (1) Paragraph (1) of section 1101 (a) of the
14 Social Security Act (42 U.S.C., supp. V, sec. 1301 (a)
15 (1)), relating to definition of State, is amended by strik-
16 ing out “Alaska, Hawaii,” and inserting in lieu thereof
17 “Hawaii”.

18 (2) Paragraph (2) of such section (42 U.S.C. 1301
19 (a) (2)), relating to definition of United States, is
20 amended by striking out “Alaska,”.

21 CONGRESSIONAL RECORD

22 SEC. 33. Section 73 of the Act of January 12, 1895,
23 as amended (44 U.S.C., supp. V, sec. 183), is further
24 amended by striking out the word “Alaska,”.

FEDERAL REGISTER

SEC. 34. Section 8 of the Federal Register Act (44 U.S.C., sec. 308), is amended by striking out the parenthetical phrase “(not including Alaska)” and inserting in lieu thereof the parenthetical phrase “(including Alaska)”.

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all, the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act

1 of May 28, 1948, as amended (48 U.S.C. 485 and the fol-
2 lowing), which has not been completed by the date of enact-
3 ment of this Act, may be completed according to the terms
4 thereof.

5 SELECTIVE SERVICE

6 SEC. 36. Section 16 (b) of the Universal Military Train-
7 ing and Service Act, as amended (50 U.S.C. App., sec.
8 466 (b)), is further amended by striking out the word
9 "Alaska,".

10 REAL PROPERTY TRANSACTIONS

11 SEC. 37. Section 43 (c) of the Act of August 10, 1956
12 (50 U.S.C. App., supp. V, sec. 2285 (c)), is amended by
13 striking out the word "Alaska,".

14 RECREATION FACILITIES

15 SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat.
16 130), is hereby repealed. There are hereby authorized to
17 be appropriated for the fiscal year ending June 30, 1960,
18 such sums as may be necessary to complete the construction
19 of facilities described in section 1 of such Act, as amended by
20 the Act of August 30, 1957 (71 Stat. 510), if construction
21 was begun prior to June 30, 1959, and to maintain the
22 facilities pending their transfer pursuant to such section.

23 AIRCRAFT LOAN GUARANTEES

24 SEC. 39. Section 3 of the Act of September 7, 1957
25 (71 Stat. 629), is amended by striking out the words "Ter-

1 ritory of Alaska” and inserting in lieu thereof the words
2 “State of Alaska”.

3 DEFENSE BASE ACT

4 SEC. 40. (a) Paragraph (2) and (3) of section 1 (a)
5 of the Defense Base Act, as amended (55 Stat. 622; 42
6 U.S.C. 1651 and the following), are amended by striking
7 out “Alaska;” in the parenthetical phrase in each paragraph.

8 (b) Paragraph (6) of section 1 (a) of that Act is
9 amended by striking out “or in Alaska or the Canal Zone”.

10 (c) Section 1 (b) of that Act is amended by striking the
11 period at the end of paragraph (3), inserting in lieu thereof
12 a semicolon, and adding the following paragraph: “(4) the
13 term ‘continental United States’ means the States and the
14 District of Columbia.”

15 TIMBER REMOVAL

16 SEC. 41. The Act of March 3, 1891 (26 Stat. 1093),
17 as amended (16 U.S.C. 607), is further amended by delet-
18 ing the words “Territory of Alaska” and the words “or
19 Territory” where they there appear and by inserting the
20 word “Alaska,” after the words “In the State of”.

21 WAR HAZARDS COMPENSATION ACT

22 SEC. 42. (a) Paragraphs (2), (3), and (5) of section
23 101 (a) of the War Hazards Compensation Act, as amended
24 (56 Stat. 1028; 42 U.S.C. 1701 and the following) are
25 amended by striking out “or in Alaska or the Canal Zone”.

1 (b) Section 104 of that Act is amended by adding the
2 following new subsection at the end thereof:

3 “(c) The provisions of this section shall not apply with
4 respect to benefits on account of any injury or death occur-
5 ring within any State.”

6 (c) Section 201 of that Act is amended by adding the
7 following new subsection at the end thereof:

8 “(f) the term ‘continental United States’ means the
9 States and the District of Columbia.”

10 BUY AMERICAN ACT

11 SEC. 43. Section 1 (b) of Title III of the Act of March
12 3, 1933 (41 U.S.C. 10c (b)), is amended by striking out
13 the word “Alaska,”.

14 TRANSITIONAL GRANTS

15 SEC. 44. (a) In order to assist the State of Alaska in
16 accomplishing an orderly transition from Territorial status
17 to statehood, and in order to facilitate the assumption by the
18 State of Alaska of responsibilities hitherto performed in
19 Alaska by the Federal Government, there are hereby author-
20 ized to be appropriated to the President, for the purpose of
21 making transitional grants to the State of Alaska, the sum
22 of \$10,500,000 for the fiscal year ending June 30, 1960;
23 the sum of \$6,000,000 for each of the fiscal years ending
24 June 30, 1961, and June 30, 1962; and the sum of \$3,000,-

1 000 for each of the fiscal years ending June 30, 1963, and
2 June 30, 1964.

3 (b) The Governor of Alaska may submit to the Presi-
4 dent a request that a Federal agency continue to provide
5 services or facilities in Alaska for an interim period, pending
6 the provision of such services or facilities by the State of
7 Alaska. Such interim period shall not extend beyond June
8 30, 1964. In the event of such request, and in the event
9 of the approval thereof by the President, the President may
10 allocate, at his discretion, to such agency the funds necessary
11 to finance the provision of such services or facilities. Such
12 funds shall be allocated from appropriations made pursuant
13 to subsection (a) hereof, and the amount of such funds shall
14 be deducted from the amount of grants available to the State
15 of Alaska pursuant to such subsection.

16 (c) After the transfer or conveyance to the State of
17 Alaska of any property or function pursuant to the Act of
18 July 7, 1958 (72 Stat. 339), providing for the admission
19 of the State of Alaska into the Union, or pursuant to this
20 Act or any other law, and until June 30, 1964, the head of
21 the Federal agency having administrative jurisdiction of such
22 property prior to its transfer or conveyance may contract
23 with the State of Alaska for the performance by such agency,
24 on a reimbursable basis, of some or all of the functions

1 authorized to be performed by it in Alaska immediately pre-
2 ceding such conveyance or transfer.

3 TRANSFER OF PROPERTY

4 SEC. 45. If the President determines that any func-
5 tion performed by the Federal Government in Alaska has
6 been terminated or curtailed by the Federal Government
7 and that performance of such function or substantially the
8 same function has been or will be assumed by the State of
9 Alaska, the President may, until July 1, 1964, in his dis-
10 cretion, transfer and convey to the State of Alaska, without
11 reimbursement, any property or interest in property, real or
12 personal, situated in Alaska which is owned or held by the
13 United States in connection with such function.

14 CLAIMS COMMISSION

15 SEC. 46. (a) In the event that any disputes arise be-
16 tween the United States and the State of Alaska prior to
17 January 1, 1965, concerning the transfer, conveyance, or
18 other disposal of property to the State of Alaska pursuant
19 to section 6 (e) of the Act of July 7, 1958 (72 Stat. 339,
20 340), providing for the admission of the State of Alaska into
21 the Union, or pursuant to this Act, the President is author-
22 ized (1) to appoint by and with the advice and consent of
23 the Senate a temporary commission of three persons, to con-
24 sider, ascertain, adjust, determine, and settle such disputes,
25 and (2) to make such rules and regulations as may be neces-

1 sary to establish such temporary commission or as may be
2 necessary to terminate such temporary commission at the
3 conclusion of its duties. In carrying out its duties under this
4 section, such commission may hold such hearings, take such
5 testimony, sit and act at such times and places, and incur
6 such expenditures as the commission deems necessary. No
7 commission shall be appointed under authority of this sub-
8 section after June 30, 1965.

9 (b) The commission may, without regard to the civil-
10 service laws and the Classification Act of 1949, employ and
11 fix the compensation of such employees as it deems neces-
12 sary to carry out its duties under this section. The commis-
13 sion is authorized to use the facilities, information, and per-
14 sonnel of the departments, agencies, and establishments of
15 the executive branch of the United States Government which
16 it deems necessary to carry out its duties; and each such
17 department, agency, and instrumentality is authorized to
18 furnish such facilities, information, and personnel to the
19 commission upon request made by the commission. The
20 commission shall reimburse each such department, agency,
21 or instrumentality for the services of any personnel utilized.
22 The commission may establish such procedures, rules, and
23 regulations as may be necessary to carry out its duties under
24 this section.

25 (c) No member of such commission shall be an officer

1 or employee of the United States or of the State of Alaska.
2 Each member of the commission shall be paid compensation
3 at the rate of \$50 per day for each day spent in the work
4 of the commission, shall be reimbursed for actual and neces-
5 sary travel expenses, and shall receive a per diem allowance
6 in accordance with the provisions of the Travel Expense
7 Act of 1949, as amended, when away from his usual place
8 of residence.

9 (d) There are hereby authorized to be appropriated such
10 sums as may be necessary to enable the commission to per-
11 form its duties under this section.

12 EFFECTIVE DATES

13 SEC. 47. (a) The amendments made by paragraph
14 (2) of subsection (a) of section 18, by subsection (a) of
15 section 28, by paragraph (1) of subsection (c) of section
16 31, by subsections (a) and (b) of section 32, and, except as
17 provided in subsection (c) of this section, by subsection
18 (b) of section 24, shall be applicable in the case of promul-
19 gations of Federal shares, allotment percentages, allotment
20 ratios, and Federal percentages, as the case may be, made
21 after satisfactory data are available from the Department of
22 Commerce for a full year on the per capita income of Alaska,
23 and for this purpose such promulgations shall, before such
24 data for the full period required by the applicable statutory
25 provision as so amended are available from the Department

1 of Commerce, be based on satisfactory data available from
2 such Department for such one full year or, when such data
3 for a two-year period are available, for such two years.

4 (b) The amendments made by paragraphs (1) and (3)
5 of subsection (a) of section 18 shall be applicable, in the
6 case of allotments under section 302(b) or 502 of the
7 National Defense Education Act of 1958, for fiscal years
8 beginning July 1, 1959, and, in the case of allotments under
9 section 302(a) of such Act, in the case of allotments based
10 on allotment ratios, promulgated under such section 302(a),
11 to which the amendment made by paragraph (2) of sub-
12 section (a) of section 18 of this Act is applicable.

13 (c) (1) The allotment percentage determined for Alaska
14 under section 11(h) of the Vocational Rehabilitation Act,
15 as amended by this Act, for the first, second, third, and
16 fourth years for which the amendments made by this Act
17 are applicable to such section shall be increased by 76 per
18 centum, 64 per centum, 52 per centum, and 28 per centum,
19 respectively, of the difference between such allotment per-
20 centage for the year involved and 75 per centum.

21 (2) The Federal share for Alaska determined under
22 section 11(i) of the Vocational Rehabilitation Act, as
23 amended by this Act, for the first year for which the amend-
24 ments made by this Act are applicable to such section shall

1 be increased by 70 per centum of the difference between
2 such Federal share for such year and 60 per centum.

3 (3) If such first year for which such amendments made
4 by this Act are applicable is any fiscal year ending prior
5 to July 1, 1962, the adjusted Federal share for Alaska for
6 such year for purposes of section 2 (b) of the Vocational
7 Rehabilitation Act shall, notwithstanding the provisions of
8 paragraph (3) (A) of such section 2 (b), be the Federal
9 share determined pursuant to paragraph (2) of this sub-
10 section.

11 (d) The amendments made by paragraphs (2) and
12 (3) of subsection (b), by subsection (c), and by paragraph
13 (4) of subsection (d) of section 18; by subsection (a) of
14 section 24; by subsection (b) of section 28; by subsection
15 (a), by subparagraphs (2), (3), and (4) of subsection
16 (b), and by paragraph (2) of subsection (c) of section 31;
17 by paragraph (2) of subsection (c) and by subsection (d)
18 of section 32; and, except as provided in subsection (b) of
19 this section by paragraph (1) of subsection (a) of section
20 18, shall be effective on January 3, 1959.

21 (e) The amendment made by paragraph (1) of sub-
22 section (c) of section 32 shall apply in the case of deaths
23 occurring on or after January 3, 1959.

24 (f) The amendments made by paragraph (1) of sub-

1 section (b) and paragraphs (1), (2), and (3) of subsec-
2 tion (d) of section 18 shall be applicable for fiscal years
3 beginning July 1, 1959.

4 (g) The amendments in sections 40 and 42 shall take
5 effect when enacted: *Provided, however,* That with respect to
6 injuries or deaths occurring on or after January 3, 1959,
7 and prior to the effective date of these amendments, claims
8 filed by employees engaged in the State of Alaska in any of
9 the employments covered by the Defense Base Act (and
10 their dependents) may be adjudicated under the Workmen's
11 Compensation Act of Alaska instead of the Defense Base
12 Act.

13 DEFINITION OF "CONTINENTAL UNITED STATES"

14 SEC. 48. Whenever the phrase "continental United
15 States" is used in any law of the United States enacted after
16 the date of enactment of this Act, it shall mean the forty-
17 nine States on the North American Continent and the Dis-
18 trict of Columbia, unless otherwise expressly provided.

19 OTHER SUBJECTS

20 SEC. 49. The amendment by this Act of certain statutes
21 by deleting therefrom specific references to Alaska or such
22 phrases as "Territory of Alaska" shall not be construed to
23 affect the applicability or inapplicability in or to Alaska of
24 other statutes not so amended.

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SEPARABILITY

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SEC. 50. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

A BILL

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

By Mr. ASPINALL.

MAY 14, 1959

Referred to the Committee on Interior and Insular
Affairs

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

Issued May 20, 1959
For actions of May 19, 1959
86th-1st, No. 80

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HIGHLIGHTS: Senate committee reported: Wheat price support bill. Tobacco price support bill. House committee approved wheat price support bill. House debated housing bill. Rep. Broomfield introduced and discussed farm bill. Rep. Langen urged full parity for small grain farmers. Rep. Cooley urged defeat of proposed amendment to USDA appropriation bill limiting CCC loans. Sen. Murray and other Sens., and Reps. Anderson, Mont., and Burdick introduced and Sen. Murray discussed bill to extend FHA's authority to make refinancing loans and emergency loans. Sen. Humphrey introduced and discussed wheat price support bill.

SENATE

1. WHEAT. The Agriculture and Forestry Committee reported during recess, May 18, an original bill, S. 1968, to modify acreage allotments and marketing quotas for wheat (S. Rept. 295). p. 7513
2. TOBACCO. The Agriculture and Forestry Committee reported without amendment S. 1901, to modify price support requirements for tobacco (S. Rept. 297). p. 7518
3. FOREIGN CURRENCIES. The Armed Services Committee reported with amendment H. R. 5674, to authorize certain construction at military installations, including provisions for the use of foreign currencies received under Public Law 480 for foreign military housing (S. Rept. 296). p. 7518

4. APPROPRIATIONS. A subcommittee of the Appropriations Committee ordered reported to the full committee H. R. 5805, the Treasury-Post Office appropriation bill for 1960. p. D369
5. RECLAMATION. Passed with amendment S. 72, to authorize Interior to construct the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project. (pp. 7603-07) Sens. Williams, Del., and Lausche opposed passage of the bill, contending that this new acreage would increase the production of agricultural commodities already in surplus supply. (pp. 7605-07)
Sen. Moss expressed satisfaction over the initiation of construction of the Stanaker Dam, Utah, and stated that it "will provide supplemental irrigation for about 14,700 acres of productive land which is constantly threatened by water shortages." p. 7556
6. ELECTRIFICATION. Sen. Gruening urged the development of hydroelectric power facilities in Alaska, and inserted a newspaper editorial discussing the matter. p. 7582
7. FORESTRY. Sen. Cannon inserted a Nev. Legislature resolution opposing enactment of legislation to establish wilderness preservation areas. p. 7515
Sen. Humphrey inserted a Beltrami Co., Minn., Board of Commissioners resolution urging favorable consideration of the Secretary's recommendations on a program for the development of the national forests. p. 7517
8. LABOR STANDARDS. Received from the Labor Department a proposed bill "to amend the Fair Labor Standards Act of 1938"; to Labor and Public Welfare Committee. p. 7515

HOUSE

9. SMALL GRAINS. Rep. Langen stated that farmers are "not responsible for the surpluses of barley and oats" and that imports of barley in the last 10 years are greater than the surpluses in that period, while imports of oats are "approximately equal to the surplus on hand today," and urged full parity for the small grain farmers. p. 7677
10. AGRICULTURAL APPROPRIATION BILL. Rep. Cooley urged the defeat of a proposed amendment to the 1960 agricultural appropriation bill to restrict to \$50,000 CCC loans to individual producers, stating that it would "destroy the farm program." p. 7679
11. WHEAT. The Agriculture Committee "approved the provisions of H. R. 7118, as amended, concerning price supports for wheat, and directed the chairman to introduce a clean bill which will incorporate the language of H. R. 7118 as amended." p. D371
12. ALASKA. The Interior and Insular Affairs Committee reported without amendment H. R. 7120, to amend certain laws of the United States in light of the admission of Alaska into the Union (H. Rept. 369). p. 7679
13. FORESTRY. The Government Operations Committee reported with amendment S. 900, to amend sec. 204 (b) of the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of GSA to pay direct expenses in connection with the utilization of excess real property and related personalty (H. Rept. 368). p. 7679

ALASKA OMNIBUS ACT

MAY 19, 1959.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ASPINALL, from the Committee on Interior and Insular Affairs, submitted the following

R E P O R T

[To accompany H.R. 7120]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 7120) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes, having considered the same, report favorably thereon without amendments and recommend that the bill do pass.

INTRODUCTION

H.R. 7120 was introduced after hearings on three predecessor bills (H.R. 6091 by Representative Aspinall, H.R. 6109 by Representative O'Brien, of New York, and H.R. 6112 by Representative Saylor). It includes the amendments agreed upon in committee when H.R. 6091 was marked up. The predecessor bills were introduced as a result of an executive communication from the Director of the Bureau of the Budget dated March 24, 1959, enclosing a draft of bill which he recommended be enacted. This draft bill had been prepared in the Bureau of the Budget after consultation with all agencies of the executive branch administering Federal statutes which were, or might be thought to have been, affected by the admission of Alaska into the Union.

Since the bill recommended by the Bureau of the Budget included many subjects which, taken separately, would ordinarily be handled by other standing committees of the House, the chairman of the Committee on Interior and Insular Affairs on April 2, addressed letters to the chairmen of the Committees on Agriculture, Armed Services, Banking and Currency, Education and Labor, Government Operations, Interstate and Foreign Commerce, Judiciary, Merchant Marine and Fisheries, Public Works, Veterans' Affairs, and Ways and Means

inviting their attention to the bill and requesting any suggestions they might care to offer. The replies received were carefully considered by the committee. Some of the suggestions will be found incorporated in the present bill. Others referred to matters which, the committee was advised, will be covered in a further bill which the Bureau of the Budget is now working on. The present bill is limited to matters of State-Federal relations and matters affecting the scope of Federal operations in Alaska. The new bill will deal with what may be called the housekeeping provisions under which Federal agencies operate in Alaska.

DISCUSSION

The purposes of H.R. 7120 were aptly summarized by the spokesman for the Bureau of the Budget, Mr. Harold Seidman, in his appearance before the committee at the hearing on H.R. 6091 and its companions in this way:

H.R. 6091 is designed to make those changes in Federal laws which have become necessary and desirable because of Alaska's admission into the Union "on an equal footing with the other States in all respects whatever." The President recommended in his 1960 budget message that, where necessary, changes should be made in Federal laws "to apply to Alaska the same general laws, rules, and policies as are applicable to other States." The bill would (1) make Alaska eligible to participate in a number of Federal grant-in-aid programs on a comparable basis with the other States; (2) terminate certain special Federal programs in Alaska; (3) authorize various measures required to facilitate an orderly transition, including property transfers and transitional grants; (4) clarify the applicability of certain laws to Alaska; and (5) eliminate inappropriate references to the Territory of Alaska in Federal statutes.

Examples of the first category mentioned by Mr. Seidman are the provisions of section 18 relating to grants-in-aid of education, section 24 relating to vocational rehabilitation, section 28 relating to the Water Pollution Control Act, and section 32 relating to various programs under the Social Security Administration. Those sections are designed to apply to Alaska the same apportionment and matching formulas that are applicable to other States.

Examples of the second category are the provisions of section 21 relating to highways, section 31 relating to general health and mental health grants, section 35 relating to airports, and section 39 relating to recreation facilities. The net Federal expenditures for these activities, if they were not discontinued, would be about \$10,260,000 in fiscal year 1960. The President's budget for the fiscal year 1960, however, carries no requests for funds for any of these activities except highway maintenance. Discontinuance of authority for appropriations for this purpose is delayed 1 year under the bill because of commitments that have already been made.

A system of transitional grants, intended to ease the effects of the discontinuance of the special Federal functions just listed, is a part of the third category mentioned by Mr. Seidman. It is set out in section 44(a) of the bill which authorizes appropriations of \$10,500,000 for the fiscal year 1960, \$6 million for each of the fiscal years 1961 and

1962, and \$3 million for each of the fiscal years 1963 and 1964. Other provisions in this category are those of section 45 authorizing the President to transfer to the new State property which is no longer needed by the United States because of the termination of curtailment of services in Alaska and section 46 providing for the creation of a three-man Commission to adjust disputes between the State and the United States with respect to property transfers.

The fourth and fifth categories fall in the class of perfecting amendments to existing law. Numerous examples will be found in the section-by-section analysis of the bill printed later in this report.

Cost

The committee requested and was furnished by the Bureau of the Budget with a comparison between the costs which would be incurred by the United States if the special programs which are being terminated were not terminated and the amounts which are provided in section 44 of the bill by way of transitional grants. Other provisions of the bill will entail, at most, minor expenditures. It will be noted that, although the transitional grant program entails slightly greater expenditures during its 5-year period than the Budget estimates of costs if the special programs were continued—an average of about \$700,000 a year—the estimate assumes that there would be no appropriations for airport improvements after 1960, no appropriations for recreational facilities after 1961, and no appropriation for road maintenance after 1962. Confined as it is to the 5-year period, moreover, it does not purport to represent savings to the Federal Government after the close of the period.

The Bureau of the Budget presentation is contained in the following table:

Federal expenditures if Alaska remained a Territory

[Figures in thousands]

	1960	1961	1962	1963	1964
Anchorage and Fairbanks Airport capital improvements.....	\$4, 500				
O. & M. costs (Anchorage and Fairbanks Airports).....	845	\$845	\$845	\$845	\$845
O. & M. costs (intermediate airports).....	593	593	593	593	593
Road maintenance costs.....	² 4, 000	4, 000	4, 000		
Mental health grant.....	800	800	600	1 900	1 900
General health grant.....	638	638	638	638	638
Recreational program.....	100	100			
Subtotal.....	11, 476	6, 976	6, 676	2, 976	2, 976
Less airport revenues.....	-1, 215	-1, 215	-1, 215	-1, 215	-1, 215
Total.....	10, 261	5, 761	5, 461	1, 761	1, 761
Actual proposed grant.....	10, 500	6, 000	6, 000	3, 000	3, 000

¹ Represents a condensation of mental health grants authorized for 1963-67 which total \$1,800,000.

² Alaska will share in the Federal-aid highway program on regular basis, with no aid funds available for maintenance, beginning with the 1961 allotment. Since the 1961 allotment is actually made available to States beginning in 1960, Federal funds which would have been spent available for maintenance out of that allotment were included in computing the 1960 transitional grant.

SPECIAL MATTERS CONSIDERED

Since the section-by-section analysis printed later in this report sets out in considerable detail the various provisions of the bill and the reasons for including them, only a few of the subjects covered by the bill which attracted the committee's particular attention need be noted here.

Administration of fisheries

Section 6(e) of the Alaska Statehood Act (72 Stat. 339, 340) provided—

That the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of ninety legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest.

Section 2(b) of the bill proposes to change the 90 legislative days provision to 90 calendar days. The Secretary's certification was received by the Speaker of the House and the President of the Senate on April 28, 1959. In view of the uncertainty that exists with respect to the computation of 90 legislative days, the possibility that the 1st session of the 86th Congress may end before 90 such days, however computed, have expired and that this would prevent a transfer from taking effect until January 1, 1961 at the earliest, and the belief of the committee that 90 calendar days (which will almost certainly elapse before the end of the current session) will be enough to allow examination of the adequacy of the Alaska Legislature's work, the committee recommends enactment of section 2(b). This amendment of the basic act will not require a recertification by the Secretary.

Highways

Testimony of Alaska's Secretary of State Hugh J. Wade, speaking for Governor Egan as well as himself, on the subject of Alaska's participation under the Federal Aid Highway Act, as proposed in sections 21 and 44 of the bill, was carefully considered. For fear that substantial revenues from oil and other resource developments, including income from State lands, might not materialize in the next 4 years, Mr. Wade expressed grave doubt whether Alaska would be able to meet the cost of highway maintenance after expiration of the proposed 4-year transition period. He suggested that instead of immediate full participation under the act, an intermediate stage be provided for at least 10 years, during which Alaska's participation, which is now based upon the use of one-third of its area, would be based on two-thirds of its area and the privilege of using part of the money for maintenance would be continued. To bring this about he was even willing to see Alaska forego that portion of the proposed transition grant which would be attributable to Alaska's road program.

Although the committee realizes the dangers of which Mr. Wade spoke, it was deemed advisable, in the interest of maintaining uniformity with the other States, to carry through with the provisions of the bill which extend to Alaska full participation under the Federal Aid Highway Act with the understanding that only the events of the next 4 years will prove whether such decision is the feasible answer for Alaska under the unusual circumstances prevailing there.

Courts

Section 23 of the bill provides for sessions of the U.S. Court of Appeals for the Ninth Circuit at Anchorage and of the U.S. District

Court for the District of Alaska at Ketehikan. The committee considered representations made to it that the amount of Federal court business that is likely to develop in Alaska in the near future is unlikely to justify regular sittings in these two places. It also considered, on the other hand, representations that the striking of these provisions, particularly that relating to the court of appeals, might amount to a denial of justice and would certainly increase the cost to litigants of securing it. It concluded that section 23 should remain in the bill but calls attention to sections 48 and 140 of title 28, United States Code, permitting terms of court to be pretermitted in the absence of sufficient business or for other good cause.

Airports

Section 35 provides for the transfer to the State of Alaska of the airports now under the jurisdiction of the Federal Aviation Authority. These include the international airports at Anchorage and Fairbanks and 17 intermediate airports. The two international airports earn a net profit of about \$200,000 a year, but the intermediate airports are money losers. The Anchorage Airport handles about 125,000 aircraft arrivals and departures annually, the Fairbanks Airport 55,000. Of these 180,000 arrivals and departures, about 67,500 are military. The runways at the international airports will need to be lengthened and their lighting to be improved to accommodate jet traffic. A substantial portion of the transitional grants provided for in section 44 will be used for these purposes. The committee finds in the large volume of military traffic a special justification for the proposed transitional grant program.

Claims Commission

The committee marked up in several respects the original proposal relating to the potential establishment of a Commission to settle disputes arising out of the property transfer provisions of this act and of section 6(e) of the Alaska Statehood Act: (a) It has provided that the Commissioners shall be appointed with the advice and consent of the Senate; (b) it eliminated a provision making the Commissioners' decision "final and conclusive for all purposes"; (c) it has inserted a final date for any appointment of a Commission. The committee understands that it will be given an opportunity to review such rules and regulations as a Commission, if appointed, may set up.

Section 49

The committee noted that the bill, as submitted by the Bureau of the Budget, included a large number of provisions which merely strike out specific references to Alaska now contained in the statutes. These usually occur in connection with definitions of such terms as "State," "United States," "continental United States," and the like. The committee also noted that there are a substantial number of laws which are not so amended by the bill. Thought was given to attempting to ferret out all of these, but the task proved to be impracticable. In order to avoid any inference, from the inclusion of amendments to certain statutes and the omission of others, that it is Congress' intent that the latter shall cease to be applicable in or to Alaska, the committee drafted section 49 and recommends its enactment.

SECTION-BY-SECTION ANALYSIS

This analysis, except for those parts which deal with amendments made by the committee, was prepared by the Bureau of the Budget and accompanied the executive communication referred to above.

SHORT TITLE

Section 1 provides that the act may be cited as the Alaska Omnibus Act.

FEDERAL JURISDICTION

Section 2(a) would amend section 4 of the Statehood Act. Section 4 now provides, in pertinent part, that Alaska and its people disclaim any right (a) to any lands in Alaska the right or title to which is now held by the United States, except for land granted to Alaska by the Statehood Act, and (b) to land and property held by Alaska natives or held in trust by the United States for such natives. The section further provides that "all such lands * * * shall be and remain under the absolute jurisdiction and control of the United States." It was intended that such absolute jurisdiction would apply to native lands only ((b) above), but the language actually enacted appears to comprehend the lands described in both (a) and (b). The amendment would make clear that "the absolute jurisdiction and control of the United States" does not apply generally to land held by the United States in Alaska, but only to land and property held by natives or by the United States in trust for natives.

Subsection (b) of this section was added by the committee for the reasons stated above.

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

Section 3 provides a date on which certain laws enacted by the Congress, relating to the regulation of commerce within Alaska, shall cease to apply to the State of Alaska. Section 8(d) of the Statehood Act provides that a law "enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union" shall be regarded as a "Territorial law" and that such a law shall continue in force and effect throughout the State except as modified or changed by action of the State legislature. The foregoing language has been interpreted by the executive branch of the Federal Government as continuing in effect in the State of Alaska those portions of U.S. laws which provide for the regulation of intra-territorial commerce by agencies of the United States. In the language of section 8(d), such laws will continue in effect "except * * * as modified or changed by the legislature of the State." In order to make explicit the date such laws of the United States shall cease to be applicable, this section of the bill provides that, either (a) on July 1, 1961, or, if it occurs earlier, (b) on the effective date of any State law relating to the same subject matter as the pertinent law of the United States, such law of the United States shall cease to apply. In the absence of an explicit date, considerable confusion might arise as to the continued responsibility of a Federal agency. The section makes

clear that such Federal responsibility will cease whenever the State takes legislative action in a field formerly regulated by the United States.

SUGAR ACT

Section 4 amends the Sugar Act by providing a definition of the term "continental United States." In the absence of such a definition, the term has been administratively construed to exclude the Territory of Alaska. The new subsection would make clear that it includes the 49 States and the District of Columbia. As a result, the determinations by the Secretary of Agriculture concerning sugar requirements in the continental United States will henceforth include the requirements of Alaska. Thus, sugar either imported or marketed for shipment into Alaska will be charged against a quota.

SOIL BANK ACT

Section 5 would perpetuate in the State of Alaska the treatment accorded to the Territory of Alaska under the conservation reserve program of the Soil Bank Act. The act has no practical application to Alaska at this time and is not now being administered there. This condition is likely to continue for the foreseeable future. Consequently, the amended provision concerning the geographical application of the program would make clear that the conservation reserve program of the Soil Bank Act applies to Alaska only if the Secretary of Agriculture determines that such application would be in the national interest.

ARMED FORCES

Section 6 would provide in subsection (a) a perfecting amendment to title 10 of the United States Code by amending the definition of the term "Territory" to delete the existing reference to Alaska. Subsection (b) would amend two definitions in article 2 of the Uniform Code of Military Justice which describe persons subject to the code. Under the definitions in existing law, "persons serving with, employed by, or accompanying the Armed Forces" and "persons within an area leased by or otherwise reserved or acquired for the use of the United States" are subject to the code if they are outside that part of Alaska east of longitude 172° west, the Canal Zone, Hawaii, Puerto Rico, the Virgin Islands, and Guam. The amendments in subsection (b) would have the effect of according the same treatment to such persons in Alaska west of the 172d meridian as is already accorded to those east of it. Subsection (c) strikes the special and now unnecessary reference to Alaska in a section which comprehends all of the States.

NATIONAL BANK ACT

Section 7 relates to the reserve balances required of national banks that are not members of the Federal Reserve System and that are located in Alaska or outside the continental United States. Because section 19 of the Alaska Statehood Act requires that all national banks in Alaska be members of the Federal Reserve System, section 5192 of the Revised Statutes no longer has application to Alaska, and this section of the proposed bill would thus eliminate the reference to it.

ALASKA OMNIBUS ACT

FEDERAL RESERVE ACT

Section 8 provides two perfecting amendments to the Federal Reserve Act, to reflect Alaska's inclusion in the Federal Reserve System pursuant to section 19 of the Statehood Act.

HOME LOAN BANK BOARD

Section 9 would provide perfecting amendments to two statutes administered by the Federal Home Loan Bank Board. The Federal Home Loan Bank Act and the Home Owners' Loan Act of 1933 would each be amended by striking references to Alaska as a Territory.

NATIONAL HOUSING ACT

Section 10 provides amendments to the National Housing Act. The amendments would have the effect of perpetuating in the State of Alaska the treatment received by Alaska as a Territory.

COAST GUARD

Section 11 would amend the provision of law authorizing the appointment of commissioned officers of the Coast Guard as U.S. commissioners or U.S. deputy marshals in Alaska. The amendment is perfecting only and removes references to "the Territory of" Alaska.

SECURITIES AND EXCHANGE COMMISSION

Section 12 provides amendments to certain statutes administered by the Securities and Exchange Commission. Those contained in subsection (a) through (d) are perfecting only, merely removing unnecessary references to Alaska in definitions of the term "State." Subsection (e) would amend a section of the Investment Company Act of 1940 which provides an exemption from the provisions of the act to companies organized under the laws of the territories and possessions which confine offerings of their securities to residents of such territories or possessions. The effect of the amendment would be to remove Alaska from the areas (all of which are territories and possessions) to which the special exemption applies, and to accord to it the same treatment as the other States receive.

SOIL CONSERVATION

Section 13 would amend two provisions of the Soil Conservation and Domestic Allotment Act. Section 8(b) of that act requires that, in the administration of the law "in the continental United States," the Secretary of Agriculture must use county committees, and that no committee may represent more than one county or parts of different counties. Heretofore the term "continental United States" has been administratively construed to exclude Alaska, with the result that, in Alaska, three committees only are now in operation, each serving an area which includes more than one county or parts of different counties. With statehood, Alaska may now be regarded as within the continental United States. If so, adherence to section 8(b) would require the establishment of far more committees in Alaska than

would be suitable for Alaska's relatively small program. Therefore, subsection (a) of this section of the bill would remove the requirement with respect to the areas represented by committees in the case of Alaska. Subsection (b) is a perfecting amendment, designed only to reflect Alaska's new status.

BALD EAGLES

Section 14 amends the statute providing protection to bald eagles. Existing law protects the bald eagle "within the United States or any place subject to the jurisdiction thereof, except the Territory of Alaska." Because the bald eagle is now virtually extinct except in Alaska, the protection afforded by the statute should apply to Alaska as well. The amendment contained in this section would achieve that result.

WILDLIFE RESTORATION

Section 15 would amend the statute providing grants to the States and territories for wildlife restoration in order to remove references to the Territory of Alaska from the section relating to grants to the territories. The amendments are perfecting only, since Alaska will necessarily be accorded the treatment of a State as a result of the Statehood Act.

FISH RESTORATION

Section 16 would amend the statute providing grants to the States and territories for fish restoration in order to remove references to the Territory of Alaska from the section relating to grants to the territories. The amendments are perfecting only, since Alaska will necessarily be accorded the treatment of a State as a result of the Statehood Act.

CRIMINAL CODE

Section 17, subsections (a) and (b), provide amendments to the Federal Youth Corrections Act and to a 1958 statute relating to parole, which, under the terms of existing law, apply "in the continental United States other than Alaska." When the U.S. District Court for the District of Alaska is established, pursuant to the Statehood Act, such laws should apply to the State. Subsection (c) provides that the application of the laws in question to Alaska will commence on that date. Subsection (d) was added by the committee at the suggestion of the Committee on Armed Services to eliminate a provision in title 18, United States Code, section 1385, which permits the use in Alaska, but not elsewhere in the United States, of members of the Army and Air Force as a posse comitatus.

EDUCATION

Section 18 provides certain amendments to the laws relating to education.

Subsection (a), relating to the National Defense Education Act of 1958, amends section 103(a), section 302(a)(3), and section 1008 of the act (20 U.S.C.A., secs. 403(a), 442(a)(3)(B), and 588), so as to eliminate the special treatment of Alaska. The amendment to section 302(a)(3) would eliminate the exclusion of Alaska from the continental

United States for purposes of determining the allocation of funds to States for acquisition of mathematics, science, or modern foreign language equipment. The amendments to sections 103(a) and 1008 would put Alaska on the same basis as the other States for purposes of allocations of funds for the acquisition of such equipment, allocations of funds for State programs of expansion or improvement of public school supervisory services in mathematics, science, or modern foreign language, and allocations of funds for counseling and guidance and testing programs.

Under section 47, these amendments would be effective in the case of allotments for acquisition of equipment based on allotment ratios which are promulgated after per capita income data for Alaska for a full year are available from the Department of Commerce. They would be effective in the case of allotments for State programs of expansion or improvement of supervisory services, or for counseling and guidance and testing programs, for fiscal years beginning July 1, 1959.

Subsection (b), in paragraph (1), relating to vocational education, amends section 4 of the Smith-Hughes vocational education law. This section provides for allotments to the States for teacher training in agriculture, trades and industries, and home economics, and includes an authorization of separate appropriations for the \$10,000 minimum allotment provided for the States for this purpose. The \$90,000 authorized for the latter purpose would be insufficient to provide the minimum for Alaska as well as the other States, and hence it would be increased by the bill to \$98,500.

In order to qualify for funds allocated under this law for vocational education in the field of agriculture, trades and industries, or home economics, a State must "have taken advantage of" an amount at least equal to the minimum allotment for teacher training in that field. In addition, the law requires at least 20 percent of a State's allotment for teacher training to be expended in each of the three fields and places a limitation of 60 percent of the teacher-training allotment on the amount which may be expended in any one of the three fields. These requirements and limitations would be made inapplicable to Alaska until the third fiscal year which begins after the enactment of the bill. Similar treatment was accorded the other States when the law was first enacted at which time they were given a 3-year grace period during which these provisions were not applicable.

Subsection (b), in paragraphs (2) and (3), also amends the Vocational Education Act of 1946 to eliminate from the definitions of "State" and "States and Territories," the specific mention of Alaska. These are purely technical amendments.

Subsection (c), relating to school construction assistance in federally affected areas, amends paragraph (13) of section 15 of Public Law 815 (81st Cong.), as amended (20 U.S.C.A., sec. 645(13)), which defines the term "State." The amendment would eliminate the specific reference to Alaska. This is a purely technical amendment.

Subsection (d), relating to school operation assistance in federally affected areas, amends section 3(d) of Public Law 874 (81st Cong.), as amended (20 U.S.C.A., sec. 238 (d)). This section of the law sets forth the method of determining the local contribution rate used in computing the amount of the payments to local school districts on

account of federally connected children attending their schools. The determination of the rate for the Territories, including Alaska, is, however, separately provided for, with the Commissioner of Education authorized to make the determination consistent with the policies and principles provided for the determination of the rate in the case of school districts in other States.

The amendments to this section of the law would eliminate the specific mention of Alaska as one of the "States" to whom the specific provision applies, but would make the special provision applicable to any State in which a substantial portion of the land is in unorganized territory for which a State agency is the local educational agency. This would include Alaska at the present time and probably for the next 15 or 20 years. It might conceivably include also other States, although this is not likely. Consequently, the amendments will not have any practical effect upon Alaska in the foreseeable future. These amendments would also specifically include Alaska in the continental United States for purposes of determining the average per pupil expenditure therein, which is used, in turn, in determining the minimum local contribution rate.

These amendments would, under section 47, be applicable beginning with the next fiscal year.

Subsection (d)(4) of section 18 of the bill also amends paragraph (8) of section 9 of Public Law 874 which defines the term "State." The amendment would eliminate the specific reference to Alaska. This is a purely technical amendment.

IMPORTATION OF MILK AND CREAM

Section 19 would make clear that the act of February 15, 1927, which regulates the importation of milk and cream into the "continental United States," applies to Alaska.

OPIUM POPPY CONTROL

Section 20 would provide a perfecting amendment to the Opium Poppy Control Act of 1942. It would strike a now superfluous reference to the Territory of Alaska.

HIGHWAYS

Section 21 would provide for the assumption by the State of Alaska of the functions now performed by the other States in connection with the construction and maintenance of roads. It would direct the Secretary of Commerce to transfer to Alaska without compensation, but subject to conditions which he may deem desirable, all of the real and personal property now held by the Bureau of Public Roads in connection with its current responsibilities in Alaska, except for such property as the Bureau will require in continuing to perform in Alaska, as elsewhere in the States, its usual Federal functions and functions for which the State may contract under section 44(c), and except for lands which must be retained for purposes other than or in addition to road purposes. It is intended that the date of transfer be July 1, 1959, if practicable, or as soon thereafter as would be practicable. Henceforth, Alaska will be responsible for road maintenance, as it

has not been in the past. However, Alaska would be able to utilize Federal-aid funds apportioned for the fiscal year ending June 30, 1960, and prior years, and unobligated on the date of passage of this act, for maintenance during fiscal years 1960, 1961, and 1962. To assist it in road construction, the section further provides for the extension to Alaska of the laws relating to Federal aid for highways on the same terms as are applicable to the other States. Citations within the section are keyed to Public Law 85-767, approved August 27, 1958.

INTERNAL REVENUE

Section 22 contains amendments to the Internal Revenue Code of 1954. All, except for that contained in subsection (b), are perfecting in nature, merely removing references to Alaska which are now superfluous. Subsection (b) relates to the definition of the phrase "continental United States" for purposes of the transportation tax. The explicit terms of existing law (i.e., the "continental United States" means "the existing 48 States and the District of Columbia"), excluded the Territory of Alaska, with the result that a partial exemption from the tax was permitted for trips between the Territory of Alaska and the States. The effect of the amendment contained in subsection (b) will be to accord to Alaska, as a State, the same treatment it received as a Territory, and thus to preserve a distinction between Alaska and the other States. The Treasury Department has concluded that it would be contrary to the intent of the Congress, as expressed in 1956, to remove this partial exemption. The exemption was inserted in the law in 1956 in recognition of the fact that Alaska (and Hawaii) were far removed from the States and that transportation between the States and those two Territories involved travel over the high seas and/or a foreign country. When the exemption amendment was considered in the Senate, the possible effect of future statehood was discussed in a memorandum submitted by Senator Morse (Congressional Record, Mar. 29, 1956, p. 5831). His statement asserted that statehood should not change the exemption. On this basis, the Treasury Department considers that the partial exemption continues, notwithstanding Alaska's admission to the Union. Enactment of subsection (b) would confirm that conclusion.

COURTS

Section 23, in subsection (a), amends the Judicial Code so that the Court of Appeals for the Ninth Circuit will be required to hold sessions in Anchorage annually. That court is now by law required to hold sessions each year in San Francisco, Los Angeles, Portland, and Seattle. Subsection (b) amends the Judicial Code to provide that the Federal District Court for the District of Alaska shall be held in Ketchikan. Subsection (c) would perpetuate the authority of the Attorney General to fix fees and allowances for witnesses in connection with the Federal court in Alaska. Current fees and allowances, established pursuant to 48 United States Code, section 25, are set forth at 28 CFR 21.3. Fees and allowances for witnesses in Federal courts, excluding Alaska, are set forth at 28 United States Code, section 1821. Under the provision of subsection (c) of this section of the bill; Alaska would continue to be excluded from section

1821 of title 28. Subsection (d), in effect, provides for the transfer to the State of moneys, derived from court fees and fines, held by the clerks of the district court of the Territory. This subsection was amended in committee to provide for approval by the Administrative Office of the United States Courts of payments ordered by the court which would diminish the amount to be turned over.

VOCATIONAL REHABILITATION ACT

Section 24 relates to vocational rehabilitation.

Subsection (a) amends section 11(g) of the Vocational Rehabilitation Act. This section of the act defines the term "State." The amendment would eliminate the specific reference to Alaska and is a technical amendment.

Subsection (b) amends subsections (h) and (i) of section 11 of the Vocational Rehabilitation Act. These subsections define the terms "allotment percentage" and "Federal share." The amendments would eliminate the special provisions under which the allotment percentage for Alaska is set at 75 percent and the Federal share at 60 percent, and would provide for the determination of these to be made in accordance with the relative per capita income of Alaska, as is done in the case of other States. The amendments would also eliminate the exclusion of Alaska from the continental United States for purposes of determining the allotment percentages and Federal shares for the States. Under section 47 of this bill, the above amendments would be applicable to allotment percentages and Federal shares promulgated after there are available per capita income data for Alaska for a full year from the Department of Commerce, and following a short transition period.

GOLD RESERVE ACT

Section 25 would remove a now obsolete reference to the Territory of Alaska contained in the Gold Reserve Act of 1934.

SILVER PURCHASE ACT

Section 26 would remove a now obsolete reference to the Territory of Alaska contained in the Silver Purchase Act of 1934.

NATIONAL GUARD

Section 27 would provide a perfecting amendment to the definition of "Territory" for purposes of title 32 of the United States Code, relating to the National Guard.

WATER POLLUTION CONTROL ACT

Section 28 provides certain amendments to the Water Pollution Control Act.

Subsection (a) of this section amends section 5(h)(1) of the Federal Water Pollution Control Act. This section defines the term "Federal share" which is used for determining the portion of the cost of the water pollution control program in each State which will be borne by the Federal Government. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of

the definition, no longer be excluded from the continental United States and would have its Federal share determined, as in the case of the other States, on the basis of its relative per capita income.

Under section 47, these amendments would be effective for promulgations of the Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (b) of this section of the bill amends section 11(d) of the Federal Water Pollution Control Act, which defines "State," to eliminate the special mention of Alaska. This is a purely technical amendment.

VETERANS' ADMINISTRATION

Section 29(a) relates to the authority of the Veterans' Administration under section 903(b) of title 38 (Public Law 85-857), to transport the bodies of veterans who have died in VA facilities. Existing law provides that (a) when a death occurs in the continental United States, transportation may be provided "to the place of burial in the United States"; (b) when a death occurs in the continental United States, transportation may be provided to the place of burial within Alaska if the deceased was an Alaska resident and if he had been brought to the United States for VA hospital care; and (c) when a death occurs in a Territory, Commonwealth, or possession, transportation may be provided to the place of burial within such Territory, Commonwealth, or possession. Under existing law therefore, no explicit provision is included for the transportation of deceased veterans from Alaska to the other States, although the statute might reasonably be construed, as a consequence of Alaska's admission, to permit this result. Similarly, there is no explicit provision for the transportation of deceased veterans from the other States to Alaska, in the absence of a finding that the deceased was an Alaska resident brought to another State for care. Section 29(a) of the proposed bill would make both of these results certain, and in so doing would remove the statutory distinctions between Alaska and the other States. Subsection (b) is a perfecting amendment only.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

Section 30 provides two perfecting amendments to the Federal Property and Administrative Services Act. The first would make clear that the term "continental United States" includes Alaska, and the second would remove an unnecessary reference to Alaska in the definition of the term "State."

PUBLIC HEALTH SERVICE ACT

Section 31 provides certain amendments to the Public Health Service Act.

Subsection (a) amends section 2(f) of the Public Health Service Act which defines the term "State" for purposes of the act. This is a purely technical amendment eliminating the specific inclusion of Alaska as a State.

Subsection (b) would repeal section 371 of the Public Health Service Act relating to the Alaska mental health program. Section 371 author-

izes grants totaling \$4 million for the fiscal years 1960 through 1967, for the administration of Alaska's mental health program. The subsection also amends section 372 of such act, relating to the grant already made for the construction of a hospital and related facilities for the care of the mentally ill. The amendments to section 372 eliminate references to Alaska as a Territory.

Subsection (c), relating to hospital and medical facilities construction, amends section 631(a) of the Public Health Service Act. This section describes the method of determining allotment percentages which are used in the allocation of the appropriations for hospital and medical facilities construction under title VI of the Public Health Service Act. They are also used in connection with determining the Federal share of the cost of construction. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of determining the allotment percentages, no longer be excluded from the continental United States and would have its percentage based, as in the case of the other States, on its relative per capita income. Its Federal share would also be determined in the manner provided for the other States.

Under section 47, these amendments would be applicable in the case of promulgations of allotment percentages and Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (c) also amends section 631(d) of the Public Health Service Act, which defines the term "State," to eliminate the specific reference to Alaska. This is a technical amendment.

SOCIAL SECURITY ACT

Section 32 provides certain amendments to the Social Security Act.

Subsection (a), relating to public assistance, amends section 1101(a)(8) of the Social Security Act (20 U.S.C.A., sec. 1301(A)(8)). This section defines the term "Federal percentage" which is used in determining the portion of the expenditures in each State for old-age assistance, aid to dependent children, aid to the blind, or aid to the permanently and totally disabled which will be borne by the Federal Government. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definition, no longer be excluded from the continental United States and would have the determination of its Federal percentage made, as in the case of the other States, on the basis of its relative per capita income.

These amendments to section 1101(a)(8) of the Social Security Act would, under section 47 of the bill, be effective for promulgations of the Federal percentages made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (b), relating to child welfare services, amends section 524 of the Social Security Act (42 U.S.C.A., sec. 724). This section defines the terms "allotment percentage" and "Federal share" for purposes of determining the allocation of the appropriations for child welfare services under part 3 of title V of the Social Security Act among the States and the portion of the expenditures for this purpose in each State which will be borne by the Federal Government.

The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definitions, no longer be ex-

cluded from the continental United States and would have the determinations of its allotment percentage and its Federal share made, as in the case of the other States, on the basis of its relative per capita income.

The amendments made by this subsection of the bill would, under section 47 of the bill, be effective for promulgations of allotment percentages and Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (c), relating to old-age, survivors, and disability insurance, amends the last sentence of section 202(i) of the Social Security Act. This section of the act provides for lump-sum payments in certain cases of death of an individual insured under the old-age survivors, and disability insurance program. The application for such payments must be filed within 2 years of the date of death, except that, in the case of the death outside the 48 States and the District of Columbia of a member of the Armed Forces (including commissioned officers of the Public Health Service and the Coast and Geodetic Survey) who is "returned" to any of the 48 States, the District, or any U.S. Territory or possession for interment or reinterment, the 2-year period begins with such interment or reinterment. This special treatment would no longer be provided in the case of deaths in Alaska. It should be noted that the 2 years may be extended for as much as an additional 2 years if good cause for the failure to file within the initial 2-year period is shown.

The subsection (c)(1) amendment would, under section 43 of the bill, be effective in the case of deaths occurring on or after January 3, 1959.

Subsection (c) of the bill also amends subsections (h) and (i) of section 210 of the Social Security Act which define "State" and "United States" for purposes of the old-age, survivors, and disability insurance program. These are purely technical amendments, eliminating the specific inclusion of Alaska as a State, since this inclusion became automatic upon Alaska's admission to the Union.

Subsection (d) amends paragraphs (1) and (2) of section 1101(a) of the Social Security Act which define "State" and "United States" for purposes of the act. These are technical amendments.

CONGRESSIONAL RECORD

Section 33 amends the law relating to the gratuitous distribution of copies of the Congressional Record. Existing law provides that the Governors of the States shall receive one copy in both daily and bound form, while the Governors of the Territories receive five in both daily and bound form. The amendment would strike the reference to Alaska in the latter provision so that the Governor of the new State would be accorded the treatment of a State Governor rather than a Territorial Governor.

FEDERAL REGISTER

Section 34 amends the Federal Register Act so that henceforth publication in the Federal Register of notice of hearing will be regarded as notice to persons residing in Alaska, as well as elsewhere in the mainland United States. Under circumstances described in the statute, such publication is, under existing law, adequate with respect

to residents of the continental United States excluding Alaska. The amendment would extend the provision to Alaska as well.

AIRPORTS

Section 35(a) would authorize and direct the Administrator of the Federal Aviation Agency to convey to the State of Alaska, without reimbursement, the airports at Anchorage and Fairbanks which were constructed and have been operated and maintained by the United States under the act of May 28, 1948. Subsection (b) would permit completion of certain FAA contracts following such conveyance.

SELECTIVE SERVICE

Section 36 would remove an unnecessary reference to Alaska in the section of the Universal Military Training and Service Act which defines the term "United States." The amendment is perfecting only.

REAL PROPERTY TRANSACTIONS

Section 37 amends the statute which requires the Director of the Office of Civil and Defense Mobilization to come into agreement with the Armed Services Committees of the Congress with respect to certain real property transactions. The amendment would merely remove a superfluous reference to Alaska.

RECREATION FACILITIES

Section 38 relates to the statute which authorizes the Secretary of the Interior to construct public recreation facilities in Alaska. As enacted in 1956, the law authorizes the appropriation of \$100,000 each year for the 5 fiscal years ending June 30, 1961, for the construction and maintenance of such facilities, and provides for their transfer to Alaskan agencies or communities. The effect of the provision contained in section 38 is to terminate the existing authorization for appropriations and to substitute for it an authorization of funds for 1 fiscal year only. Such funds could be expended only for the completion of projects begun prior to June 30, 1959, but not completed by that date, and for the maintenance of facilities constructed under the act pending their transfer to Alaska.

AIRCRAFT LOAN GUARANTEES

Section 39 would provide a perfecting amendment to the 1957 statute (set out as a note following 49 U.S.C., sup. V, sec. 425) which authorizes loans for the purchase of aircraft and equipment.

DEFENSE BASE AND WAR HAZARDS COMPENSATION ACTS

Sections 40 and 42 were added in committee at the suggestion of the Bureau of the Budget after question had been raised by the committee staff. Their purpose is to amend the Defense Base Act (55 Stat. 622) and the War Hazards Compensation Act (56 Stat. 1028) to resolve liability questions arising from Alaska's statehood.

The Defense Base Act provides workmen's compensation protection to employees of private employers working outside the continental United States in defense base areas and to employees of Federal contractors employed outside the continental United States upon public works in the territories and Alaska and foreign countries. The War Hazards Act provides benefits related to war hazards, to be paid by the Federal Government, primarily for employees covered by the Defense Base Act.

On January 14, 1959, the Alaska Industrial Board announced that it would apply the Alaska Workmen's Compensation Act in the Federal domain in Alaska, effective January 3, 1959, the date of statehood, under the act of June 25, 1936 (49 Stat. 1938), permitting such State action. A potential workmen's compensation liability exists, therefore, respecting employers of workers on Federal property in Alaska under both the Defense Base Act and the Alaska Workmen's Compensation Act.

The purpose of the two sections is to preclude such dual liability by deleting reference to Alaska from the Defense Base Act and the War Hazards Act and adding a definition of "continental United States" to the acts to make it clear that Alaska comes within this term.

Paragraph (b) of section 42 would amend the provisions of section 104 of the War Hazards Compensation Act relating to reimbursement by the Federal Government of payments made under contracts by reasons of war hazards, to make it clear that these provisions would no longer apply within Alaska.

Since the Canal Zone does not fall within the proposed definition of "continental United States," it is unnecessary to refer to it for Defense Base Act and War Risk Compensation Act coverage and it is accordingly deleted from these acts by the pertinent draft sections.

TIMBER REMOVAL

Section 41 was added by the committee to avoid any possibility that the continued reference to Alaska as a Territory in the act of March 3, 1891, as amended (16 U.S.C. 607) relating to defenses in connection with civil and criminal timber trespass cases and the like would be taken to mean that the permissible defenses are no longer available under statehood.

BUY AMERICAN ACT

Section 43 was added by the committee to eliminate the now inappropriate reference to Alaska in section 1(b) of title III of the act of March 3, 1933 (41 U.S.C. 10e(b)) which defines the terms used in the body of the act to include "use by, public building of, and public work of, the United States, the District of Columbia, Hawaii, Alaska," etc.

TRANSITIONAL GRANTS

Section 44 in subsection (a) authorizes the appropriation to the President of funds to be used for transitional grants to the State of Alaska for fiscal years 1960 through 1964. A \$10,500,000 grant is authorized for 1960, \$6 million for 1961 and for 1962, and \$3 million for 1963 and for 1964. The grants would not be earmarked and would

be available as a general supplement to the financial resources of the State. The amounts appropriated for transitional grants would be offset to a large extent by the elimination of appropriations for a number of activities which the Federal Government would have continued to finance in Alaska had it remained a Territory. Those include appropriations for capital improvements at Anchorage and Fairbanks Airports; operation and maintenance of intermediate airports; special grants for mental and general health; and construction of recreational facilities. There was also taken into account the fact that Federal-aid highway funds allocated to Alaska after 1960 will not be available for road maintenance and that Alaska would receive revenues from the Federal airports transferred to it.

Subsection (b) would allow the Governor of Alaska to request that a Federal agency continue to provide services and facilities in Alaska for a limited period, pending the taking over of such responsibilities by the State. In the event that the Governor's request is approved, funds for the provision of the services or facilities by the Federal agency would be allocated to it from the grants appropriated under subsection (a), and the grant Alaska receives for the pertinent fiscal year would be correspondingly reduced.

Subsection (c) would authorize the head of a Federal agency, who has transferred to the State of Alaska property or functions pursuant to either the Statehood Act, this bill, or another law, to contract with the State for the continued performance by his agency of functions authorized to be performed by it in Alaska preceding such transfer. The authority would expire June 30, 1964. The State would be required to reimburse the Federal agency for the functions performed by it under contract.

TRANSFER OF PROPERTY

Section 45 would authorize the President to give to the State of Alaska any property owned or held by the United States in Alaska and used in connection with functions performed by the Federal Government which have been taken over by the State. The authority would terminate July 1, 1964.

CLAIMS COMMISSION

Section 46 provides for the establishment, should the need arise, of a temporary three member Commission to hear and settle any dispute between the Federal Government and Alaska concerning the transfer of Federal property to the State. In both the Statehood Act (notably sec. 6(e)), and this bill (see secs. 21, 35, and 41), provision is made for the transfer or conveyance of certain Federal property to Alaska. If the respective governments should not agree as to what property is comprehended by such sections, the President would be authorized to appoint a temporary Commission to settle the dispute. The Commission would make no money settlements, but would merely decide which jurisdiction is entitled to the disputed property. Members would receive \$50 per day, would be reimbursed for travel, and would receive a per diem allowance when away from their usual places of residence. Committee amendments to this section have been pointed out above.

EFFECTIVE DATES

Section 47 contains the effective dates for the various amendments to the laws establishing the grant programs of the Department of Health, Education, and Welfare. Most of these provisions have been discussed in relation to the sections amending the pertinent statutes. In addition, subsection (a) of this section provides that where the statutory provisions amended require the allotment percentage, allotment ratio, Federal percentage, or Federal share to be based on per capita income data for a specified period, the determinations will be based, prior to the time when data for the required period are available, on data for the 1-year or 2-year period for which such data are available. Subsection (g) was added by the committee in view of its previous insertion of sections 40 and 42. This subsection is intended to make it clear that injuries occurring in employments subject to the Defense Base Act in Alaska after January 3, 1959, and until the effective date of amendments provided by the first two draft sections may be adjudicated under the Workmen's Compensation Act of Alaska.

DEFINITION OF "CONTINENTAL UNITED STATES"

Section 48 provides that, when the phrase "continental United States" is used in Federal laws enacted after the date of enactment of this bill, the phrase shall mean the 49 States of the North American Continent and the District of Columbia. The committee notes that the expression "continental United States" appears elsewhere in the bill, sometimes with the addition of "including Alaska," sometimes with the addition of "excluding Alaska." It is regrettable that a completely uniform understanding of the expression cannot be had, but the variety of statutes in which it occurs makes this impossible. It is the hope of the committee that future legislation will not use it except in those rare instances where it is unavoidable.

OTHER SUBJECTS

Section 49 was added by the committee for the reasons which have been set forth earlier in this report.

SEPARABILITY

Section 50 provides a separability clause.

EXECUTIVE COMMUNICATION

The executive communication from the Bureau of the Budget, dated March 24, 1959, is set forth below:

EXECUTIVE OFFICE OF THE PRESIDENT,

BUREAU OF THE BUDGET,

Washington, D.C., March 24, 1959.

HON. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: There is forwarded herewith a draft of legislation to amend certain laws of the United States in the light of the admission of the State of Alaska into the Union, and for other purposes, together with a section-by-section analysis thereof.

This proposal is designed to make those changes in Federal laws which have become necessary and desirable because of Alaska's admission into the Union "on an equal footing with the other States in all respects whatever." The President recommended in his 1960 budget message that, where necessary, changes should be made in Federal laws "to apply to Alaska the same general laws, rules, and policies as are applicable to other States." The proposed legislation would (1) make Alaska eligible to participate in a number of Federal grant-in-aid programs on a comparable basis with the other States; (2) terminate certain special Federal programs in Alaska; (3) authorize Federal financial assistance to Alaska during an interim period, transfers of Federal property to the State, and other measures required to facilitate an orderly transition; (4) clarify the applicability of certain laws to Alaska; and (5) eliminate inappropriate references to the "Territory of Alaska" in Federal statutes.

Alaska already participates in the majority of Federal grant-in-aid programs on the same basis as other States. There are a number of Federal grant-in-aid programs, however, where Alaska is still accorded, as it was when a Territory, treatment different from that of other States. We believe that Alaska, as a full and equal member of the Union, should not receive more or less favorable treatment than other States under these programs. The proposed legislation, therefore, would amend pertinent laws providing Federal assistance for national defense education, vocational education, school construction and operation in federally affected areas, highway construction, vocational rehabilitation, water pollution control, hospital and medical facilities construction, old-age assistance, aid to dependent children, aid to the blind, aid to the permanently and totally disabled, and child welfare services to bring Alaska under the apportionment and matching formulas applicable to all other States as soon as possible. Since the 1960 apportionments have already been made, Alaska would not participate in the Federal-aid highway program on an equal basis until 1961. Transitional provisions have been included in the proposed amendments to the Smith-Hughes Act, which authorizes grants for vocational education, and the Vocational Rehabilitation Act so as to minimize the effects of any program adjustments which may be required during the transitional period. Those special Federal grants which apply only to Alaska for general and mental health and construction of recreation facilities would be terminated.

The Federal Government at present constructs and maintains highways, operates commercial airports and provides a number of other services and facilities in Alaska normally furnished by State and local governments. The President stated in his 1960 budget message that, in the longrun interest of both the State and the Nation, "the Federal Government should not continue special programs in Alaska which, in other States, are the responsibility of State and local governments or of private enterprise." Since some time necessarily will elapse before Alaska can benefit fully from the revenues to be derived from public lands and other resources to be made available to the State by the Statehood Act, the President recommended that "the Federal Government should provide such financial assistance as is necessary to facilitate transfer to the State of such programs as highway construction and maintenance, airport operations, and public health services." If such assistance were not provided, the Federal Government

would be faced with the undesirable alternative of postponing transfer of these functions to the State for an indefinite period. The proposed legislation, therefore, would authorize the payment of transitional grants to the State of Alaska in an amount of \$10.5 million for the fiscal year 1960 and in declining amounts for the subsequent 4 years. In addition, to assist the State in establishing its court system, the draft bill would transfer to the State any outstanding balances in the accounts of the clerks of the Territorial courts at such time as the Federal District Court for Alaska is established. Under the proposed legislation Alaska could choose between receiving the entire transitional grant and administering the transferred programs directly or by contract with a Federal agency, or requesting that a portion be used for financing continued Federal operations during an interim period. Expenditures for the transitional grants to Alaska would be offset to a large extent by the elimination of existing special Federal programs in Alaska.

It is recognized that Alaska will require not only financial assistance, but also facilities and equipment, if it is expeditiously to assume responsibility for functions now performed by the Federal Government. The Statehood Act provides that U.S. property situated in Alaska which is used for the purpose of conservation and protection of fisheries and wildlife in Alaska shall be transferred to the State without reimbursement. The proposed legislation would authorize the President to make similar transfers of property and equipment in any case where the State assumes responsibility for functions formerly performed by the Federal Government. In the event of differences between the Federal Government and Alaska concerning property transfers, the President would be authorized to appoint a temporary three member Commission to hear and settle the disputes.

As a consequence of Alaska's changed status, it is believed appropriate to require the Court of Appeals for the Ninth Circuit to hold sessions in Alaska annually. Under the proposed legislation that court, which is now required by law to hold sessions each year in San Francisco, Los Angeles, Portland, and Seattle, would be required to hold sessions in Anchorage. The proposed legislation further provides that the U.S. District Court for the District of Alaska shall hold sessions in Ketchikan, as well as at Anchorage, Fairbanks, Juneau, and Nome.

The proposed legislation would extend the applicability of certain Federal laws to Alaska. These include the Sugar Act, a portion of the Investment Company Act of 1940, not hitherto applicable to certain Alaska companies, the act of June 8, 1940 (protection of bald eagles), the Federal Youth Corrections Act, certain provisions relating to parole, a statute relating to the transportation of bodies of veterans who have died in Veterans' Administration facilities, and section 29 of the Federal Register Act (notice of hearings). The draft bill would also amend the Statehood Act to clarify Federal jurisdiction over public domain lands; provide for the termination of certain "Territorial laws" administered by Federal agencies; and clarify the applicability to Alaska of the statute regarding the importation of milk and cream and the nonapplicability of the tax on transportation; provide for the transfer of the Anchorage and Fairbanks Airports to the State; and provide a definition to be applicable in the future of the term

“continental United States.” Several of the provisions of the draft bill are essentially technical and perfecting in nature and either eliminate inappropriate references to Alaska or make other language changes which are considered appropriate because of Alaska’s changed status.

The Bureau of the Budget urges early and favorable consideration of the proposed legislation, since its enactment is required to assure continuity of a number of essential public services in Alaska and to provide for the orderly transition of Alaska from Territorial status to statehood.

Sincerely yours,

MAURICE H. STANS, *Director.*

A BILL TO amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Alaska Omnibus Act”.

FEDERAL JURISDICTION

SEC. 2. Section 4 of the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, is amended by striking out the words “all such lands or other property, belonging to the United States or which may belong to said natives”, and inserting in lieu thereof the words “all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives”.

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

SEC. 3. Any Territorial law, as that term is defined in section 8(d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union,

(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

(b) the application of which to the State of Alaska is continued solely by reason of such section 8(d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

SUGAR ACT

SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., Sup. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection “(o)” and to read as follows:

“(o) The term ‘continental United States’ means the 49 States and the District of Columbia.”

SOIL BANK ACT

SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C., Sup. V, sec. 1837), is amended to read as follows: "This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term "State" includes Hawaii, Puerto Rico, and the Virgin Islands."

ARMED FORCES

SEC. 6. (a) Title 10, United States Code, section 101(2), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii".

(b) Title 10, United States Code, sections 802(11) and 802(12), are each amended by striking out the words "that part of Alaska east of longitude 172 degrees west,".

(c) Title 10, United States Code, section 2662(c), is amended by striking out the word "Alaska,".

NATIONAL BANK ACT

SEC. 7. Section 5192 of the Revised Statutes, as amended (12 U.S.C., sec. 144), is further amended by striking out the words "in Alaska or".

FEDERAL RESERVE ACT

SEC. 8. (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C., sec. 221), is further amended by deleting the period at the end of such section and inserting in lieu thereof the following: "; the term 'the continental United States' means the States of the United States and the District of Columbia."

(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C., sec. 466), is further amended by striking the words "in Alaska or".

HOME LOAN BANK BOARD

SEC. 9. (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C., sec. 1422(3)), is further amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii".

(b) Section 7 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C., sec. 1466), is further amended by striking out the words "continental United States, to the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "continental United States (including Alaska), to the Territory of Hawaii".

NATIONAL HOUSING ACT

SEC. 10. The National Housing Act is amended by

(a) striking out the word "Alaska," in sections 9, 201(d), 207(a)(7), 601(d), 713(q), and 801(g) (12 U.S.C., secs. 1706d, 1707(d), 1713(a)(7), 1736(d), 1747 1(q); Sup. V, sec. 1748(g));

(b) striking out the words "the Territory of Alaska," in section 207(c)(2) (12 U.S.C., Sup. V, sec. 1713(c)(2)), and inserting the word "Alaska" in lieu thereof;

(c) striking out the words "the Territory of Alaska or in Guam" in section 214 (12 U.S.C., Sup. V, sec. 1715d, 48 U.S.C., Sup. V, sec. 484d), and inserting the words "Alaska, Guam," in lieu thereof; and

(d) striking out the word "Territory" in the two places where it appears in section 806 (12 U.S.C., Sup. V, sec. 1748e), inserting the word "State" in lieu thereof.

COAST GUARD

SEC. 11. Title 14, United States Code, section 634(b), is amended by striking out the words "and for the territory of" in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

SEC. 12. (a) Paragraph (6) of section 2 of the Securities Act of 1933, as amended (15 U.S.C., sec. 77b(6)), is further amended by striking out the word "Alaska,".

(b) Paragraph 16 of section 3(a) of the Securities Exchange Act of 1934, as amended (15 U.S.C., sec. 78c(a)(16)), is further amended by striking out the word "Alaska,".

(c) Paragraph (18) of section 202(a) of the Investment Advisers Act of 1940, as amended (15 U.S.C., sec. 80b-2(a)(18)), is further amended by striking out the word "Alaska,".

(d) Paragraph (37) of section 2(a) of the Investment Company Act of 1940, as amended (15 U.S.C., sec. 80a-2(a)(37)), is further amended by striking out the word "Alaska,".

(e) Paragraph (1) of section 6(a) of the Investment Company Act of 1940, as amended (15 U.S.C., sec. 80a-6(a)(1)), is further amended by striking out the word "Alaska,".

SOIL CONSERVATION

SEC. 13. (a) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C., Sup. V, sec. 590h(b)), is further amended by inserting, immediately following the words "continental United States", the words ", except in Alaska".

(b) Section 17(a) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C., sec. 590q(a)), is further amended by striking out the words "the United States, the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "the States, the Territory of Hawaii", and by striking out the word "Alaska" the second time it appears therein.

BALD EAGLES

SEC. 14. Section 1 of the Act of June 8, 1940 (16 U.S.C., sec. 668), is amended by striking out the words "except the Territory of Alaska,".

WILDLIFE RESTORATION

SEC. 15. Section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., Sup. V, sec. 669g-1), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

FISH RESTORATION

SEC. 16. Section 12 of the Act of August 9, 1950, as amended (16 U.S.C., Sup. V, sec. 777k), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

CRIMINAL CODE

SEC. 17. (a) Title 18, United States Code, section 5024, is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

EDUCATION

SEC. 18. (a) (1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out "Alaska," each time it appears.

(2) Paragraph (3)(B) of section 302(a) of such Act (72 Stat. 1580, 1588), relating to definition of continental United States for purposes of allotments for science, mathematics and modern foreign language instruction equipment, is amended by striking out "does not include Alaska" and inserting in lieu thereof "includes Alaska".

(3) Section 1008 of such Act (72 Stat. 1580, 1605), relating to allotments to territories, is amended by striking out "Alaska,".

(b)(1) Section 4 of the Act of February 23, 1917 (20 U.S.C., sec. 14), relating to allotments for teacher-training,

is amended by striking out "\$90,000" and inserting in lieu thereof "\$98,500". The proviso in the last paragraph of section 5 of such Act (20 U.S.C., sec. 16) and so much of section 12 of such Act (20 U.S.C., sec. 22) as follows the last semicolon shall not be applicable to Alaska prior to the third fiscal year which begins after the enactment of this Act.

(2) Paragraph (1) of section 2 of the Vocational Education Act of 1946 (20 U.S.C., sec. 15i), relating to definition of States and Territories, is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(3) Subsection (e) of section 210 (20 U.S.C., Sup. V, sec. 15jj(e)), and subsection (a) of section 307 of such Act (72 Stat. 1580, 1600), relating to definition of State, are each amended by striking out "Alaska,".

(c) Paragraph (13) of section 15 of the Act of September 23, 1950, as amended (72 Stat. 548, 558), relating to definition of State, is amended by striking out "Alaska,".

(d)(1) The material in the parentheses in the first sentence of subsection (d) of section 3 of the Act of September 30, 1950, as amended, relating to determination of local contribution rate, is amended to read: "(other than a local educational agency in Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency)".

(2) The fourth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the first time it appears in such sentence. The fifth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the second time it appears in such sentence.

(3) The last sentence of such subsection is amended by striking out "Alaska," and by inserting after "the Virgin Islands," the following: "or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency,".

(4) Paragraph (8) of section 9 of such Act (20 U.S.C., Sup. V, sec. 244(8)), relating to definition of State, is amended by striking out "Alaska,".

IMPORTATION OF MILK AND CREAM

SEC. 19. Subsection (b) of section 9 of the Act of February 15, 1927 (21 U.S.C., sec. 149(b)), is amended by inserting the words ", including Alaska" immediately following the words "continental United States".

OPIUM POPPY CONTROL

SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C., sec. 188k), is amended by deleting therefrom the words "the Territory of Alaska,".

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 40 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

(b) Notwithstanding any other provision of this section, any contract entered into by the Federal Government in connection with the activities of the Bureau of Public Roads in Alaska which has not been completed on the date of the transfer provided under subsection (a) hereof may be completed according to the terms thereof.

(c)(1) The State of Alaska shall be responsible for the maintenance of roads, including bridges, tunnels, and ferries, transferred to it under subsection (a) of this section, as long as any such road is needed for highway purposes.

(2) Federal-aid funds apportioned to Alaska under Title 23, United States Code, for fiscal year 1960 and prior fiscal years, and unobligated on the date of enactment of this Act, may be used for maintenance of highways on the Federal-aid systems in Alaska.

(d) Effective July 1, 1959, the following provisions of law are repealed:

- (1) Title 23, United States Code, section 103(f);
- (2) Title 23, United States Code, section 116(d);
- (3) Title 23, United States Code, section 119;
- (4) Title 23, United States Code, section 120(h), except that the portion of the first sentence thereof relating to the percentage of funds to be contributed by Alaska shall continue to apply to funds apportioned to Alaska for fiscal year 1960 and prior fiscal years;

(5) Sections 107 (b) and (d) of the Federal-Aid-Highway Act of 1956 (70 Stat. 374, 377, 378);

(6) Section 2 of the Act of January 27, 1905 (33 Stat. 616), as amended (48 U.S.C., sec. 322 et seq.); and

(7) The Act of June 30, 1932 (47 Stat. 446), as amended (48 U.S.C., sec. 321(a) et seq.).

(e) Effective on July 1, 1959, the following provisions of law are amended:

(1) The definition of the term "State" in Title 23, United States Code, section 101(a), is amended to read as follows: "The term 'State' means any one of the forty-nine States, the District of Columbia, Hawaii, or Puerto Rico.";

(2) Title 23, United States Code, section 104(b), is amended by deleting the phrase ", except that only one-third of the area of Alaska shall be included" where it appears in paragraphs (1) and (2) of said section 104(b);

(3) Title 23, United States Code, section 116(a), is amended by deleting the phrase "Except as provided in subsection (d) of this section," and by capitalizing the word "it" immediately following such phrase; and

(4) Title 23, United States Code, section 120(a), is amended by deleting the phrase "subsections (d) and (h)" and by inserting in lieu thereof the phrase "subsection (d)".

INTERNAL REVENUE

SEC. 22. (a) Section 2202 of the Internal Revenue Code of 1954 (relating to missionaries in foreign service), and sections 3121(e)(1), 3306(j), 4421(d)(4), and 4233(b) of such Code (each relating to a special definition of "State") are amended by striking out "Alaska,".

(b) Section 4262(c)(1) of the Internal Revenue Code of 1954 (definition of "continental United States") is amended to read as follows:

"(1) CONTINENTAL UNITED STATES.—The term 'continental United States' means the District of Columbia and the States other than Alaska."

(c) Section 4502(5) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Hawaii and Alaska" and by inserting in lieu thereof "the Territory of Hawaii".

(d) Section 4774 of the Internal Revenue Code of 1954 (relating to territorial extent of law) is amended by striking out "the Territory of Alaska,".

(e) Section 7621(b) of the Internal Revenue Code of 1954 (relating to boundaries of internal revenue districts) is amended to read as follows:

"(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite into one district two or more States or a Territory and one or more States."

(f) Section 7653(d) of the Internal Revenue Code of 1954 is amended by striking out "its Territories or possessions" and inserting in lieu thereof "its possessions or the Territory of Hawaii".

(g) Section 7701(a)(9) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(h) Section 7701(a)(10) of the Internal Revenue Code of 1954 (relating to definition of State) is amended by striking out "Territories" and inserting in lieu thereof "Territory of Hawaii".

(i) The amendments contained in subsections (a) through (h) of this section shall be effective as of January 3, 1959.

COURTS

SEC. 23. (a) Title 28, United States Code, section 48, is amended by striking out the word "Seattle." and inserting in lieu thereof the words "Seattle, Anchorage."

(b) Title 28, United States Code, section 81 A, is amended by inserting the word "Ketchikan," immediately following the word "Juneau,".

(c) Such authority as has been exercised by the Attorney General heretofore, with regard to the Federal court system in Alaska, pursuant to section 30 of the Act of June 6, 1900. (48 U.S.C., sec. 25), shall continue to be exercised by him after the court created by section 12(b) of the Act of July 7, 1958 (72 Stat. 339, 348), providing for the admission of the State of Alaska into the Union, is established.

(d) All balances of public monies received by the clerks of each division of the District Court for the Territory of Alaska pursuant to section 10 of the Act of June 6, 1900, as amended (48 U.S.C., sec. 107), which are on hand after all payments ordered by that Court shall have been made, shall be covered into the Treasury of the United States as required by law, and the Secretary of the Treasury shall pay the amounts so covered, which are hereby appropriated, to the State of Alaska.

VOCATIONAL REHABILITATION ACT

SEC. 24. (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act (29 U.S.C., Sup. V, sec. 41(g)), relating to definition of State, is amended by striking out "Alaska,".

(b)(1) Subsection (i) and paragraph (1) of subsection (h) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(2) Paragraph (1) of such subsection (h) is further amended by striking out "Alaska,".

(3) Such subsection (i) is further amended by striking out "Hawaii and Alaska" in clause (B) and inserting in lieu thereof "Hawaii".

GOLD RESERVE ACT

SEC. 25. Section 15 of the Gold Reserve Act of 1934, as amended (31 U.S.C., sec. 444), is further amended by striking out the words "the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

SILVER PURCHASE ACT

SEC. 26. Section 10 of the Silver Purchase Act of 1934 (31 U.S.C., sec. 448b), is amended by striking out the words “, the District of Columbia, and the Territory of Alaska” and inserting in lieu thereof the words “and the District of Columbia”.

NATIONAL GUARD

SEC. 27. Title 32, United States Code, section 101(1), is amended by striking out the words “Alaska, Hawaii,” and inserting in lieu thereof the word “Hawaii”.

WATER POLLUTION CONTROL ACT

SEC. 28. (a) Paragraph (1) of section 5(h) of the Federal Water Pollution Control Act (33 U.S.C., Sup. V, sec. 466d(h)(1)), relating to Federal share for purposes of matching for program operation, is amended by striking out “(excluding Alaska)” and inserting in lieu thereof “(including Alaska)” and by striking out, in clause (B), “and Alaska”.

(b) Subsection (d) of section 11 of such Act (33 U.S.C., Sup. V, sec. 466j(d)), is amended by striking out “Alaska,”.

VETERANS' ADMINISTRATION

SEC. 29. (a) Title 38, United States Code, section 903(b), is amended by striking out the words “, or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care”; by inserting the word “continental” immediately before the words “United States” the second time they appear in such section; and by inserting, immediately following the words “continental United States” in both places where they appear in such section, the parenthetical phrase “(including Alaska)”.

(b) Title 38, United States Code, section 2007(c), is amended by striking out the word “Alaska,”.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

SEC. 30. (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C., sec. 472(f)), is amended by striking out the words “, Hawaii, Alaska,” and inserting in lieu thereof the words “(including Alaska), Hawaii,”.

(b) Subsection (a) of section 702 of such Act (40 U.S.C., Sup. V, sec. 522(a)), is amended by striking out the words “Territories of Alaska and Hawaii” and inserting in lieu thereof the words “Territory of Hawaii”.

PUBLIC HEALTH SERVICE ACT

SEC. 31. (a) Subsection (f) of section 2 of the Public Health Service Act (42 U.S.C., sec. 201(f)), relating to definition of State, is amended by striking out "Hawaii, Alaska," and inserting in lieu thereof "Hawaii," and by striking out ", the District of Columbia, or Alaska" and inserting in lieu thereof "or the District of Columbia".

(b)(1) Effective July 1, 1959, section 371 of the Public Health Service Act, as added by the Alaska Mental Health Enabling Act (42 U.S.C., Sup. V, sec. 273), is repealed.

(2) Subsection (a) of section 372 of such Act (42 U.S.C., Sup. V, sec. 274(a)), is amended by striking out "the Territory of".

(3) Subsections (b), (c), and (e) of such section are each amended by striking out "the Territory" each time it appears and inserting in lieu thereof "Alaska".

(4) Such subsection (e) is further amended by striking out "the Territory's" and inserting in lieu thereof "Alaska's".

(c)(1) Subsection (a) of section 631 of such Act (42 U.S.C., Sup. V, sec. 291i(a)), relating to definition of allotment percentage for purposes of allotments for construction, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out "for Alaska and Hawaii shall be 50 per centum each" in clause (2) and inserting in lieu thereof "for Hawaii shall be 50 per centum".

(2) Subsection (d) of such section, relating to definition of State, is amended by striking out "Alaska,".

SOCIAL SECURITY ACT

SEC. 32. (a) Paragraph (8) of section 1101(a) of the Social Security Act (72 Stat. 1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out "Alaska and" in clause (ii) of subparagraph (A) and by striking out "(excluding Alaska)" in subparagraphs (A) and (B) and inserting in lieu thereof "(including Alaska)".

(b)(1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (B).

(2) Subsection (b) of such section, relating to definition of Federal share for purposes of matching for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (2).

(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares and allotment percentages, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(c)(1) The last sentence of section 202(i) of the Social Security Act (42 U.S.C., Sup. V, sec. 402(i)), is amended by striking out "forty-eight" and inserting in lieu thereof "forty-nine".

(2) Subsections (h) and (i) of section 210 of such Act (42 U.S.C., sec. 410(h), (i)), relating to definitions of State and United States for purposes of old-age, survivors, and disability insurance, are each amended by striking out "Alaska,".

(d)(1) Paragraph (1) of section 1101(a) of the Social Security Act (42 U.S.C., Sup. V, sec. 1301(a)(1)), relating to definition of State, is amended by striking out "Alaska, Hawaii," and inserting in lieu thereof "Hawaii".

(2) Paragraph (2) of such section (42 U.S.C., sec. 1301(a)(2)), relating to definition of United States, is amended by striking out "Alaska,".

CONGRESSIONAL RECORD

SEC. 33. Section 73 of the Act of January 12, 1895, as amended (44 U.S.C., Sup. V, sec. 183), is further amended by striking out the word "Alaska,".

FEDERAL REGISTER

SEC. 34. Section 8 of the Federal Register Act (44 U.S.C., sec. 308), is amended by striking out the parenthetical phrase "(not including Alaska)" and inserting in lieu thereof the parenthetical phrase "(including Alaska)".

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C., sec. 485 et seq.), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C., sec. 485 et seq.), which has not been completed by the date of enactment of this Act, may be completed according to the terms thereof.

SELECTIVE SERVICE

SEC. 36. Section 16(b) of the Universal Military Training and Service Act, as amended (50 U.S.C. App., sec. 466(b)), is further amended by striking out the word "Alaska,".

REAL PROPERTY TRANSACTIONS

SEC. 37. Section 43(c) of the Act of August 10, 1956 (50 U.S.C. App., Sup. V, sec. 2285(c)), is amended by striking out the word "Alaska,".

RECREATIONAL FACILITIES

SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat. 130), is hereby repealed. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1960, such sums as may be necessary to complete the construction of facilities described in section 1 of such Act, as amended by the Act of August 30, 1957 (71 Stat. 510), if construction was begun prior to June 30, 1959, and to maintain the facilities pending their transfer pursuant to such section.

AIRCRAFT LOAN GUARANTEES

SEC. 39. Section 3 of the Act of September 7, 1957 (71 Stat. 629), is amended by striking out the words "Territory of Alaska" and inserting in lieu thereof the words "State of Alaska".

TRANSITIONAL GRANTS

SEC. 40. (a) In order to assist the State of Alaska in accomplishing an orderly transition from Territorial status to Statehood, and in order to facilitate the assumption by the State of Alaska of responsibilities hitherto performed in Alaska by the Federal Government, there are hereby authorized to be appropriated to the President, for the purpose of making transitional grants to the State of Alaska, the sum of \$10,500,000 for the fiscal year ending June 30, 1960; the sum of \$6,000,000 for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$2,500,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964.

(b) The Governor of Alaska may submit to the President a request that a Federal agency continue to provide services or facilities in Alaska for an interim period, pending the provision of such services or facilities by the State of Alaska. Such interim period shall not extend beyond June 30, 1964. In the event of such request, and in the event of the approval thereof by the President, the President may allocate, at his discretion, to such agency the funds necessary to finance the provision of such services or facilities. Such funds shall be allocated from appropriations made pursuant to subsection (a) hereof, and the amount of such funds shall be deducted from the amount of grants available to the State of Alaska pursuant to such subsection.

(c) After the transfer or conveyance to the State of Alaska of any property or function pursuant to the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, or pursuant to this Act or any other law, and until June 30, 1964, the head of the Federal agency having administrative jurisdiction of such property prior to its transfer or conveyance may contract with the State of Alaska for the performance by such agency, on a reimbursable basis, of some or all of the functions authorized to be performed by it in Alaska immediately preceding such conveyance or transfer.

TRANSFER OF PROPERTY

SEC. 41. If the President determines that any function performed by the Federal Government in Alaska has been terminated by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion, transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function.

CLAIMS COMMISSION

SEC. 42. (a) In the event that any disputes arise between the United States and the State of Alaska concerning the transfer, conveyance, or other disposal of property to the State of Alaska pursuant to section 6(e) of the Act of July 7, 1958 (72 Stat. 339, 340), providing for the admission of the State of Alaska into the Union, or pursuant to this Act, the President is authorized to appoint a temporary commission of three persons to consider, ascertain, adjust, determine, and settle such disputes. In carrying out its duties under this section, such commission may hold such hearings, take such testimony, sit and act at such times and places, and incur such expenditures as the commission deems necessary. Any settlement made by such commission under the authority of this section shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

(b) The commission may, without regard to the civil-service laws and the Classification Act of 1949, employ and fix the compensation of such employees as it deems necessary to carry out its duties under this section. The commission is authorized to use the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the United States Government which it deems necessary to carry out its duties; and each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the commission upon request made by the commission. The commission shall reimburse each such department, agency or instrumentality for the services of any personnel utilized.

(c) No member of such commission shall be an officer or employee of the United States or of the State of Alaska. Each member of the commission shall be paid compensation at the rate of \$50 per day for each day spent in the work of the commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance in accordance with the provisions of the Travel Expense Act of 1949, as amended, when away from his usual place of residence.

(d) The President is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section. There are hereby authorized to be appropriated such sums as may be necessary to enable the commission to perform its duties under this section.

EFFECTIVE DATES

SEC. 43. (a) The amendments made by paragraph (2) of subsection (a) of section 18, by subsection (a) of section 28, by paragraph (1) of subsection (c) of section 31, by subsections (a) and (b) of section 32, and, except as provided in subsection (c) of this section, by subsection (b) of section 24, shall be applicable in the case of promulgations of Federal shares, allotment percentages, allotment ratios, and Federal percentages, as the case may be, made after satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, and for this purpose such promulgations shall, before such data for the full period required by the applicable statutory provision as so amended are available from the Department of Commerce, be based on satisfactory data available from such Department for such one full year or, when such data for a two-year period are available, for such two years.

(b) The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958, for fiscal years beginning July 1, 1959, and, in the case of allotments under section 302(a) of such Act, in the case of allotments based on allotment ratios, promulgated under such section 302(a), to which the amendment made by paragraph (2) of subsection (a) of section 18 of this Act is applicable.

(c)(1) The allotment percentage determined for Alaska under section 11(h) of the Vocational Rehabilitation Act, as amended by this Act, for the first, second, third, and fourth years for which the amendments made by this Act are applicable to such section shall be increased by 76 per centum, 64 per centum, 52 per centum, and 28 per centum, respectively, of the difference between such allotment percentage for the year involved and 75 per centum.

(2) The Federal share for Alaska determined under section 11(i) of the Vocational Rehabilitation Act, as amended by

this Act, for the first year for which the amendments made by this Act are applicable to such section shall be increased by 70 per centum of the difference between such Federal share for such year and 60 per centum.

(3) If such first year for which such amendments made by this Act are applicable is any fiscal year ending prior to July 1, 1962, the adjusted Federal share for Alaska for such year for purposes of section 2(b) of the Vocational Rehabilitation Act shall, notwithstanding the provisions of paragraph (3)(A) of such section 2(b), be the Federal share determined pursuant to paragraph (2) of this subsection.

(d) The amendments made by paragraphs (2) and (3) of subsection (b), by subsection (c), and by paragraph (4) of subsection (d) of section 18; by subsection (a) of section 24; by subsection (b) of section 28; by subsection (a), by subparagraphs (2), (3), and (4) of subsection (b), and by paragraph (2) of subsection (c) of section 31; by paragraph (2) of subsection (c) and by subsection (d) of section 32; and, except as provided in subsection (b) of this section by paragraph (1) of subsection (a) of section 18, shall be effective on January 3, 1959.

(e) The amendment made by paragraph (1) of subsection (c) of section 32 shall apply in the case of deaths occurring on or after January 3, 1959.

(f) The amendments made by paragraph (1) of subsection (b) and paragraphs (1), (2), and (3) of subsection (d) of section 18 shall be applicable for fiscal years beginning July 1, 1959.

DEFINITION OF "CONTINENTAL UNITED STATES"

SEC. 44. Whenever the phrase "continental United States" is used in any law of the United States enacted after the date of enactment of this Act, it shall mean the 49 States on the North American continent and the District of Columbia, unless otherwise expressly provided.

SEPARABILITY

SEC. 45. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Enactment of H.R. 7120 is recommended by the Committee on Interior and Insular Affairs.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is

enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

ACT OF JULY 7, 1958 (72 STAT. 339)

SEC. 4. As a compact with the United States said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this Act, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that [all such lands or other property, belonging to the United States or which may belong to said natives] *all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives*, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation:

* * *

* * * * *

SEC. 6. (c) All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943 (57 Stat. 301; 48 U.S.C., secs. 192-211), as amended, and under the provisions of the Alaska commercial fisheries laws of June 26, 1906 (34 Stat. 478; 48 U.S.C., secs. 230-239 and 241-242), and June 6, 1924 (43 Stat. 465; 48 U.S.C., secs. 221-228), as supplemented and amended, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency: *Provided*, That the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of ninety [legislative] calendar days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest: * * *

SUGAR ACT (61 STAT. 922), AS AMENDED (7 U.S.C., SUPP. V, SEC. 1101)

SEC. 101. * * *

(o) *The term "continental United States" means the forty-nine States and the District of Columbia.*

SOIL BANK ACT (70 STAT. 188; 7 U.S.C., SUPP. V, SEC. 1837)

SEC. 113. This subtitle B shall apply to the continental United States, *except Alaska*, and, if the Secretary determines it to be in the national interest, [to one or more of the Territories of Alaska and Hawaii,] *to the State of Alaska, the Territory of Hawaii*, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term "State" includes [Alaska,] Hawaii, Puerto Rico, and the Virgin Islands.

TITLE 10, UNITED STATES CODE**§ 101. Definitions.**

In addition to the definitions in sections 1–5 of title 1, the following definitions apply in this title:

(1) "United States", in a geographic sense, means the States and the District of Columbia.

(2) "Territory" means [Alaska, Hawaii,] *Hawaii* or any Territory organized after this title is enacted, so long as it remains a Territory.

* * * * *

§ 802. Art. 2. Persons subject to this chapter.

The following persons are subject to this chapter:

* * * * *

(11) Subject to any treaty or agreement to which the United States is or may be a party or to any accepted rule of international law, persons serving with, employed by, or accompanying the armed forces outside the United States and outside the following: [that part of Alaska east of longitude 172 degrees west,] the Canal Zone, the main group of the Hawaiian Islands, Puerto Rico, and the Virgin Islands.

(12) Subject to any treaty or agreement to which the United States is or may be a party or to any accepted rule of international law, persons within an area leased by or otherwise reserved or acquired for the use of the United States which is under the control of the Secretary concerned and which is outside the United States and outside the following: [that part of Alaska east of longitude 172 degrees west,] the Canal Zone, the main group of the Hawaiian Islands, Puerto Rico, and the Virgin Islands.

* * * * *

§ 2662. Real property transactions: agreement with Armed Services Committee; reports.

(a) The Secretary of a military department, or his designee, must come to an agreement with the Committees on Armed Services of the Senate and the House of Representatives before entering into any of the following transactions by or for the use of that department:

* * * * *

(c) This section applies only to real property in the United States, [Alaska,] Hawaii, and Puerto Rico. It does not apply to real property for river and harbor projects or flood-control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

* * * * *

**SECTION 5192 OF THE REVISED STATUTES, AS AMENDED
JULY 1, 1952 (CH. 536, 66 STAT. 314; 12 U.S.C. 144)**

Four-fifths of the reserve of 15 per centum which a national bank located [in Alaska or] in a dependency or insular possession or any part of the United States outside of the continental United States, and not a member of the Federal Reserve System, is required to keep may consist of balances due such bank from associations approved by the Comptroller of the Currency and located in any one of the central reserve or reserve cities as now or hereafter defined by law or designated by the Board of Governors of the Federal Reserve System.

**FEDERAL RESERVE ACT (38 STAT. 251) AS AMENDED (12
U.S.C. 221)**

Wherever the word "bank" is used in this Act, the word shall be held to include State bank, banking association, and trust company, except where national banks or Federal reserve banks are specifically referred to.

The terms "national bank" and "national banking association" used in this Act shall be held to be synonymous and interchangeable. The term "member bank" shall be held to mean any national bank, State bank, or bank or trust company which has become a member of one of the Federal reserve banks. The term "board" shall be held to mean Board of Governors of the Federal Reserve System; the term "district" shall be held to mean Federal reserve district; the term "reserve bank" shall be held to mean Federal reserve bank [.] ; the term "*the continental United States*" means the States of the United States and the District of Columbia.

* * * * *

SEC. 19. National banks, or banks organized under local laws, located [in Alaska or] in a dependency or insular possession or any part of the United States outside the continental United States, may remain nonmember banks, and shall in that event maintain reserves and comply with all the conditions now provided by law regulating them; or said banks may with the consent of the Board of Governors of the Federal Reserve System, become member banks of any one of the reserve districts, and shall in that event take stock, maintain reserves, and be subject to all the other provisions of this Act.

**FEDERAL HOME LOAN BANK ACT (47 STAT. 725) AS
AMENDED (12 U.S.C. 1422)**

SEC. 2. As used in this Act—

- (1) The term "board" means the Home Loan Bank Board.
- (2) The term "Federal Home Loan Bank" means a bank established by the board under authority of this chapter.
- (3) The term "State" includes the District of Columbia, Guam, Puerto Rico, the Virgin Islands of the United States, and the [Territories of Alaska and Hawaii] *Territory of Hawaii*.

* * * * *

HOME OWNERS' LOAN ACT OF 1933 (48 STAT. 128) AS AMENDED (12 U.S.C. 1466)

SEC. 7. The provisions of this Act shall apply to the [continental United States, to the Territories of Alaska and Hawaii] *continental United States (including Alaska), to the Territory of Hawaii, and to Puerto Rico, Guam and the Virgin Islands.*

NATIONAL HOUSING ACT (48 STAT. 1246) AS AMENDED

SEC. 9. The provisions of sections 2 and 8 shall be applicable in the several States and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

SEC. 201. (d) The term "State" includes the several States, and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

SEC. 207. (a)(7).The term "State" includes the several States, and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

(c)(2) Not to exceed 90 per centum of the estimated value of the property or project (when the proposed improvements are completed): *Provided*, That except with respect to a mortgage executed by a mortgagor coming within the provisions of subsection (b)(1) of this section or a mortgage on a trailer court or park, such mortgage shall not exceed the amount which the Commissioner estimates will be the cost of the completed physical improvements on the property or project exclusive of public utilities and streets and organization and legal expenses: *And provided further*, That the above limitations in this paragraph shall not apply to mortgages on housing in [the Territory of Alaska] *Alaska*, or in Guam, * * *.

* * * * *

SEC. 214. If the Federal Housing Commissioner finds that, because of higher costs prevailing in [the Territory of Alaska or in Guam] *Alaska, Guam, or Hawaii*, it is not feasible to construct dwellings on property located in Alaska or in Guam or Hawaii without sacrifice of sound standards of construction, design, or livability within the limitations as to maximum or maxima mortgage amounts provided in this Act, the Commissioner may, by regulations or otherwise, prescribe, with respect to dollar amount, a higher maximum or maxima for the principal obligation of mortgages insured under this Act covering property located in Alaska or in Guam or Hawaii in such amounts as he shall find necessary to compensate for such higher costs but not to exceed, in any event, the maximum otherwise applicable by more than one-half thereof. * * *

* * * * *

SEC. 601. (d) The term "State" includes the several States, and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

SEC. 713. (q) "State" shall include the several States and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

SEC. 801. (g) The term "State" includes the several States, and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and Midway Island.

* * * * *

SEC. 806. The second sentence of section 214 of this Act, as amended, relating to housing in the [Territory] State of Alaska, shall not apply to mortgages insured under this title on property in said [Territory] State.

TITLE 14, UNITED STATES CODE

§ 634. Officers holding certain offices.

(a) Any officer, including any petty officer, may be designated by the Commandant as captain of the port or ports or adjacent high seas or waters over which the United States has jurisdiction, as the Commandant deems necessary to facilitate execution of Coast Guard duties.

(b) Commissioned officers may be appointed as United States Commissioners or United States Deputy Marshals in [and for the territory of] Alaska. Any such officer appointed as United States Commissioner in [and for the territory of] Alaska shall not be required to execute a bond for the faithful performance of his official duties as such Commissioner.

SECURITIES ACT OF 1933 (48 STAT. 74) AS AMENDED (15 U.S.C. 77b(6))

SEC. 2. When used in this title, unless the context otherwise requires—

* * * * *

(6) The term "Territory" means [Alaska,] Hawaii, Puerto Rico, Canal Zone, the Virgin Islands, and the insular possessions of the United States.

SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881) AS AMENDED (15 U.S.C. 78c (a) (16))

SEC. 3. (a) When used in this title, unless the context otherwise requires—

* * * * *

(16) The term "State" means any State of the United States, the District of Columbia, [Alaska,] Hawaii, Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States.

INVESTMENT ADVISERS ACT OF 1940 (54 STAT. 789) AS AMENDED

SEC. 2. (a) When used in this title, unless the context otherwise requires—

* * * * *

(37) "State" means any State of the United States, the District of Columbia, **[Alaska,]** Hawaii, Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States.

* * * * *

SEC. 6. (a) The following investment companies are exempt from the provisions of this title:

(1) Any company organized or otherwise created under the laws of and having its principal office and place of business in **[Alaska,]** Hawaii, Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States; but such exemption shall terminate if any security of which such company is the issuer is offered for sale or sold after the effective date of this title, by such company or an underwriter therefor, to a resident of any State other than the State in which such company is organized.

* * * * *

SEC. 202. (a) When used in this title, unless the context otherwise requires—

* * * * *

(18) "State" means any State of the United States, the District of Columbia, **[Alaska,]** Hawaii, Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT (49 STAT. 163) AS AMENDED

SEC. 8. (b) * * * In carrying out the provisions of this section in the continental United States, *except in Alaska*, the Secretary is directed to utilize the services of local and State committees selected as hereinafter provided. * * *

* * * * *

SEC. 17. (a) This Act shall apply to **[the United States, the Territories of Alaska and Hawaii]** *the States, the Territory of Hawaii*, and the possessions of Puerto Rico and the Virgin Islands, and, as used in this Act, the term "State" includes **[Alaska,]** Hawaii, Puerto Rico, and the Virgin Islands.

ACT OF JUNE 8, 1940 (54 STAT. 250; 16 U.S.C. 668)

Whoever, within the United States or any place subject to the jurisdiction thereof, **[except the Territory of Alaska,]** without being

permitted so to do as provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle, commonly known as the American eagle, alive or dead, or any part, nest, or egg thereof, shall be fined not more than \$500 or imprisoned not more than six months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any such eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the effective date of this Act, but the proof of such taking shall lie upon the accused in any prosecution under this Act.

**ACT OF SEPTEMBER 2, 1937 (50 STAT. 917) AS AMENDED
(16 U.S.C., SUPP. V, SEC. 669g-1)**

SEC. 8. (a) The Secretary of the Interior is authorized to cooperate with [the Alaska Game Commission,] the Commissioner of Agriculture and Commerce of Puerto Rico, the Governor of Guam, and the Governor of the Virgin Islands, in the conduct of wildlife-restoration projects, as defined in section 2 of this Act, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to [said Territory of Alaska,] Puerto Rico, Guam, and the Virgin Islands, out of money available for apportionment under this Act, such sums as he shall determine, [not exceeding \$75,000 for Alaska, and] not exceeding \$10,000 each for Puerto Rico, Guam, and the Virgin Islands, in any one year, which apportionments, when made, shall be deducted before making the apportionments to the States provided for by this Act; but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 per centum of the cost of any project. Any unexpended or unobligated balance of any apportionment made pursuant to this section shall be available for expenditure in [the Territory of Alaska,] Puerto Rico, Guam, or the Virgin Islands, as the case may be, in the succeeding year, on any approved project, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior in carrying out the provisions of the Migratory Bird Conservation Act.

**ACT OF AUGUST 9, 1950 (64 STAT. 430) AS AMENDED (16
U.S.C., SUPP. V, SEC. 777k)**

SEC. 12. The Secretary of the Interior is authorized to cooperate with [the Alaska Game Commission,] the Commissioner of Agriculture and Commerce of Puerto Rico, the Governor of Guam, and the Governor of the Virgin Islands, in the conduct of fish restoration and management projects as defined in section 2 of this Act, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to [said Territory of Alaska,] Puerto Rico, Guam, and the Virgin Islands, out of money available for apportionment under the Act, such sums as he shall determine, [not exceeding \$75,000 for Alaska, and] not exceeding \$10,000 each for

Puerto Rico, Guam, and the Virgin Islands, in any one year, which apportionments, when made, shall be deducted before making the apportionments to the States provided for by this Act; but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 per centum of the cost of any project. Any unexpended or unobligated balance of any apportionment made pursuant to this section shall be available for expenditure in [the Territory of Alaska,] Puerto Rico, Guam, or the Virgin Islands, as the case may be, in the succeeding year, on any approved project, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior in carrying on the research program of the Fish and Wildlife Service in respect to fish of material value for sport recreation.

-TITLE 18, UNITED STATES CODE

§ 1385. USE OF ARMY AND AIR FORCE AS POSSE COMITATUS.

Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years, or both. [This section does not apply in Alaska.]

* * * * *

§ 5024. WHERE APPLICABLE.

This chapter shall apply in the continental United States [other than Alaska] *including Alaska*, and to youth offenders convicted in the District of Columbia of offenses under any law of the United States not applicable exclusively to such District, and to other youth offenders convicted in the District to the extent authorized under section 5025.

ACT OF AUGUST 25, 1958 (72 STAT. 845, 847)

SEC. 6. Sections 3 and 4 of this Act shall apply in the continental United States [other than Alaska] *including Alaska*, and in the District of Columbia so far as they relate to persons charged with or convicted of offenses under any law of the United States not applicable exclusively to the District of Columbia.

NATIONAL DEFENSE EDUCATION ACT OF 1958 (72 Stat. 1580)

SEC. 103. As used in this Act—

(a) The term "State" means a state, [Alaska,] Hawaii, Puerto Rico, the District of Columbia, the Canal Zone, Guam, or the Virgin Islands, except that as used in sections 302 and 502, such term does not include [Alaska,] Hawaii, Puerto Rico, the Canal Zone, Guam, or the Virgin Islands.

* * * * *

SEC. 302. (a) * * *

(3) For the purposes of this title—

(A) The term “child of school age” means a member of the population between the ages of five and seventeen, both inclusive.

(B) The term “continental United States” [does not include Alaska] *includes Alaska.*

* * * * *

SEC. 1008. The amounts reserved by the Commissioner under sections 302 and 502 shall be allotted by the Commissioner among [Alaska,] Hawaii, Puerto Rico, the Canal Zone, Guam, and the Virgin Islands, according to their respective needs for the type of assistance furnished under the part or title in which the section appears.

ACT OF FEBRUARY 23, 1917 (39 STAT. 931; 20 U.S.C. 14)

SEC. 4. For the purpose of cooperating with the States in preparing teachers, supervisors, and directors of agricultural subjects and teachers of trade and industrial and home economics subjects, there is annually appropriated for the use of the States the sum of \$1,000,000. Said sum shall be allotted to the States in the proportion which their population bears to the total population of the United States, not including outlying possessions, according to the last preceding United States census. The allotment of funds to any State shall be not less than a minimum of \$10,000 for any fiscal year. And there is appropriated the sum of [\$90,000] *\$98,500* annually, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment provided for in this section.

VOCATIONAL EDUCATION ACT OF 1946 (60 STAT. 775)

SEC. 2. As used in this Act—

(1) the term “States and Territories” means the several States, [the Territories of Alaska and Hawaii] *the Territory of Hawaii*, the island of Puerto Rico, and the District of Columbia;

(2) the terms “State plan” and “State board” shall have the meaning which said terms have in the Smith-Hughes Vocational Education Act; and

(3) the term “Smith-Hughes Vocational Education Act” means the Act approved February 23, 1917 (39 Stat. 929, ch. 114).

* * * * *

SEC. 210. (e) The term “State” includes [Alaska,] Hawaii, the Virgin Islands, Puerto Rico, and the District of Columbia.

* * * * *

SEC. 307. For purposes of this title—

(a) The term “State” includes [Alaska,] Hawaii, the Virgin Islands, Puerto Rico, the District of Columbia, and Guam.

ACT OF SEPTEMBER 23, 1950, AS AMENDED (72 STAT. 548)

SEC. 15. For the purposes of this Act—

* * * * *

(13) The term “State” means a State, [Alaska,] Hawaii, Puerto Rico, Guam, the Virgin Islands, or Wake Island.

ACT OF SEPTEMBER 30, 1950, AS AMENDED (72 STAT. 548)

SEC. 3. (d) The local contribution rate for a local educational agency (other than a local educational agency in [Alaska,] Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, *or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency*) for any fiscal year shall be computed by the Commissioner of Education, after consultation with the State educational agency and the local educational agency, in the following manner:

(1) he shall determine which school districts within the State are in his judgment generally comparable to the school district of the agency for which the computation is being made; and * * *. The local contribution rate shall be an amount equal to the quotient obtained under clause (2) of this subsection. * * * In no event shall the local contribution rate for any local educational agency in any State in the continental United States (*including Alaska*) for any fiscal year be less than (i) 50 per centum of the average per pupil expenditure in such State or (ii) 50 per centum of the average per pupil expenditure in the continental United States, but not to exceed the average per pupil expenditure in the State: *Provided*, That if, for the fiscal year ending June 30, 1959, the application of clause (ii) of this sentence results in a lower local contribution rate than resulted from the application of such clause during the fiscal year ending June 30, 1958, as such clause was then in effect, then such clause, as in effect during the fiscal year ending June 30, 1958, shall be in effect during the fiscal year ending June 30, 1959. For the purposes of the preceding sentence the "average per pupil expenditure" in a State, or in the continental United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in the State, or in the continental United States (*including Alaska*), as the case may be (without regard to the sources of funds from which such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding fiscal year. The local contribution rate for any local educational agency in [Alaska,] Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, *or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency*, shall be determined for any fiscal year by the Commissioner in accordance with policies and principles which will, in his judgment, best effectuate the purposes of this Act and most nearly approximate the policies and principles provided herein for determining local contribution rates in other States.

* * * * *

SEC. 9. For the purposes of this Act—

* * * * *

(8) The term "State" means a State, [Alaska,] Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands.

ACT OF FEBRUARY 15, 1927 (44 STAT. 1101; 21 U.S.C., SEC. 149)

SEC. 9. When used in this Act—

(a) The term "person" means an individual, partnership, association, or corporation.

(b) The term "United States" means continental United States, *including Alaska*.

OPIUM POPPY CONTROL ACT OF 1942 (56 STAT. 1045; 21 U.S.C., SEC. 188k)

SEC. 12. The provisions of this Act shall apply to the several States, the District of Columbia, [the Territory of Alaska,] the Territory of Hawaii, the Canal Zone, Puerto Rico, and the other insular possessions of the United States.

TITLE 23, UNITED STATES CODE**§ 101. DEFINITIONS AND DECLARATION OF POLICY.**

(a) As used in this title, unless the context requires otherwise—

* * * * *

The term "State" means any one of the [forty-eight] *forty-nine* States, the District of Columbia, Hawaii, [Alaska,] or Puerto Rico.

* * * * *

§ 103. FEDERAL-AID SYSTEMS.

* * * * *

[(f) The system or systems of roads in the Territory of Alaska on which Federal-aid funds may be expended under this chapter shall be determined and agreed upon by the Governor of Alaska, the Alaska Highway and Public Works Board, and the Secretary.]

* * * * *

§ 104. APPORTIONMENT.

* * * * *

(a) * * *

(b) On or before January 1 next preceding the commencement of each fiscal year, except as provided in paragraphs (4) and (5) of this subsection, the Secretary, after making the deduction authorized by subsection (a) of this section, shall apportion the remainder of the sums authorized to be appropriated for expenditure upon the Federal-aid systems for that fiscal year, among the several States in the following manner:

(1) For the Federal-aid primary system:

One-third in the ratio which the area of each State bears to the total area of all the States [, except that only one-third of the area of Alaska shall be included]; one-third in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census; one-third in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery and star routes in all the States at the close of the next preceding fiscal year, as shown by a certificate of

the Postmaster General, which he is directed to make and furnish annually to the Secretary. No State shall receive less than one-half of 1 per centum of each year's apportionment.

(2) For the Federal-aid secondary system:

One-third in the ratio which the area of each State bears to the total area of all the States [, except that only one-third of the area of Alaska shall be included]; one-third in the ratio which the rural population of each State bears to the total rural population of all the States as shown by the latest available Federal census; and one-third in the ratio which the mileage of rural delivery and star routes, certified as above provided, in each State bears to the total mileage of rural delivery and star routes in all the States. No State shall receive less than one-half of 1 per centum of each year's apportionment.

* * * * *

§ 116. MAINTENANCE.

(a) [Except as provided in subsection (d) of this section, it] *It* shall be the duty of the State highway department to maintain, or cause to be maintained, any project constructed under the provisions of this chapter or constructed under the provisions of prior Acts. The State's obligation to the United States to maintain any such project shall cease when it no longer constitutes a part of a Federal-aid system.

* * * * *

[(d) The Federal-aid funds apportioned to the Territory of Alaska and the funds contributed by the Territory under section 120 of this title may be expended for the maintenance of roads within the system or systems of roads agreed upon under section 103(f) of this title under the same terms and conditions as for the construction of such roads.]

* * * * *

[§ 119. ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS IN ALASKA.

[(a) The Secretary shall administer the functions, duties, and authority pertaining to the construction, repair and maintenance of roads, tramways, ferries, bridges, trails, and other works in Alaska, conferred upon the Department of the Interior and, prior to September 16, 1956, administered by the Secretary of the Interior under the Act of June 30, 1932 (47 Stat. 446; 48 U.S.C., sec. 321a and following).

[(b) The Secretary shall, by order or regulations, distribute the functions, duties, and authority required to be administered by him under subsection (a) of this section and appropriations pertaining thereto as he may deem proper to accomplish the economical and effective organization and administration thereof.]

* * * * *

§ 120. FEDERAL SHARE PAYABLE.

(a) Subject to the provisions of [subsections (d) and (h)] *subsection (d)* of this section, the Federal share payable on account of any project, financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system shall not exceed 50 per centum of the cost of construction, except that in the case of any State containing unappropriated and unreserved

public lands and non-taxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area.

* * * * *

[(h) The Territory of Alaska shall contribute funds each fiscal year in an amount that shall be not less than 10 per centum of the Federal funds apportioned to it for such fiscal year, such contribution to be deposited in a special account in the Federal Treasury for use in conjunction with the Federal funds apportioned to the Territory. The Federal funds apportioned to the Territory of Alaska and the funds contributed by the Territory may be expended by the Secretary either directly or in cooperation with the Alaska Highway and Public Works Board and may be so expended separately or in combination and without regard to the matching provisions of this chapter.]

* * * * *

FEDERAL-AID HIGHWAY ACT OF 1956 (70 STAT. 374)

SEC. 107. * * *

[(b) TRANSFER OF FUNCTIONS.—Effective not more than ninety days after the approval of this Act, the functions, duties, and authority pertaining to the construction, repair, and maintenance of roads, tramways, ferries, bridges, trails, and other works in Alaska, conferred upon the Department of the Interior and heretofore administered by the Secretary of the Interior under the Act of June 30, 1932 (47 Stat. 446; 48 U.S.C., sec. 321a and following), are hereby transferred to the Department of Commerce, and thereafter shall be administered by the Secretary of Commerce, or under his direction, by such officer, or officers, as may be designated by him.]

* * * * *

[(d) EFFECTUATION OF TRANSFER.—The Secretary of the Interior and the Secretary of Commerce shall take such steps as may be necessary or appropriate to effect the transfer from the Department of the Interior to the Department of Commerce of the functions, duties, and authority, and the funds and property, as herein provided for.]

ACT OF JANUARY 27, 1905 (33 Stat. 616), AS AMENDED (48 U.S.C., SEC. 322 AND THE FOLLOWING)

[SEC. 2. The Secretary of the Interior, or such officer, or officers as may be designated by him, shall, upon his own motion or upon petition, locate, lay out, construct, and maintain roads, trails, and bridges from any point on the navigable waters of Alaska to and through any town, mining or other industrial camp or settlement, or between and through any such town, camps, or settlements therein; if in his judgment such roads, trails, or bridges are needed and will be of permanent value for the development of Alaska: *Provided*, That within incorporated towns only roads and bridges which are designated by the Secretary of the Interior as part of the through highway system

of the Territory of Alaska may be constructed under this section: *Provided further*, That no roads or bridges within incorporated towns shall be maintained under this section. The Secretary of the Interior, or such officer, or officers, as may be designated by him, shall prepare maps, plans, and specifications of every road or trail he may locate and lay out, and whenever more than \$20,000 in the aggregate, shall have to be expended upon the actual construction of any road or section of road designed to be permanent, contract for the work shall be let by him to the lowest responsible bidder, upon sealed bids, after due notice, under rules and regulations to be prescribed by him. He may reject any bid if he deems the same unreasonably high or if he finds that there is a combination among bidders. In case no responsible and reasonable bid can be secured, then the work may be carried on with material and men procured and hired by him. The Secretary of the Interior, or such officer, or officers, as may be designated by him, shall in all cases supervise the work of construction and see that the same is properly performed. As soon as any road or trail laid out by him has been constructed and completed he, or such officer, or officers as may be designated by him, shall examine the same and make a full and detailed report of the work done on the same, and in such report shall state whether the road or trail has been completed conformably to the maps, plans, and specifications of the same. It shall be the duty of the Secretary of the Interior, or such officer or officers as may be designated by him, as far as practicable, to keep in proper repair all roads and trails constructed under his supervision, and the same rules as to the manner in which the work of repair shall be done, whether by contract or otherwise, shall govern as in the case of the original construction of the road or trail. The cost and expenses of laying out, constructing, and repairing such roads and trails shall be paid by the Secretary of the Treasury, through such officer or officers as may be designated by the Secretary of the Interior, out of the road and trail portion of said "Alaska fund" upon vouchers approved and certified by the Secretary of the Interior. The Secretary of the Treasury shall, at the end of each month, send by mail to the Secretary of the Interior a statement of the amount available of said "Alaska fund" for the construction and repair of roads and trails, and no greater liability for construction or repair shall at any time be incurred by the Secretary of the Interior or such officer or officers as may be designated by him, than the money available therefor at that time in said fund.】

**ACT OF JUNE 30, 1932 (47 STAT. 446), AS AMENDED (48 U.S.C.,
SEC. 321(a) AND THE FOLLOWING)**

【From and after the passage of this Act the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska, and upon the Secretary of the Army, as provided for in the Act of January 27, 1905 (ch. 277, sec. 2, 33 Stat. 616), as amended by the Act of May 14, 1906 (ch. 2458, sec. 2, 34 Stat. 192), and Acts supplemental thereto, and amendatory thereof, are hereby transferred to the Department of the Interior, and shall hereafter be administered by the Secretary of the Interior, or under his direction, by such officer, or officers, as may be designated by him.

[SEC. 2. The Secretary of the Interior shall execute or cause to be executed all laws pertaining to the construction and maintenance of roads and trails and other works in Alaska, heretofore administered by said board of road commissioners under the direction of the Secretary of the Army; and all appropriations heretofore made, and now available, or that hereafter may be made, for expenditure by said board for meeting the cost of such work in the Territory of Alaska, are transferred to the Secretary of the Interior, to be thereafter administered in accordance with the provisions of this Act; and the said board is directed to turn over to the Secretary of the Interior all equipment, materials, supplies, papers, maps, and documents, or other property utilized in the exercise of such powers, for the use of the said Secretary in the administration of the construction and maintenance of roads, tramways, ferries, bridges, and trails, and other works in the Territory of Alaska, heretofore administered by said board.]

[SEC. 3. With the approval of the President, the Secretary of the Interior shall have power, by order or regulation, to distribute the duties and authority transferred, and appropriations pertaining thereto, as he may deem proper to accomplish a more economical and effective organization thereof, and to make rules and regulations governing the use of roads, trails, and other works, including the fixing and collection of tolls where deemed necessary and advisable in the public interest.]

[SEC. 4. All estimates of appropriations for the construction and maintenance of roads and trails and other works, as submitted prior to June 30, 1932, by the Secretary of the Army, shall after such date be submitted by the Secretary of the Interior.]

[SEC. 5. In all patents for lands hereafter taken up, entered, or located in the Territory of Alaska, and in all deeds by the United States hereafter conveying any lands to which it may have reacquired title in said Territory not included within the limits of any organized municipality, there shall be expressed that there is reserved, from the lands described in said patent or deed, a right-of-way thereon for roads, roadways, highways, tramways, trails, bridges, and appurtenant structures constructed or to be constructed by or under the authority of the United States or of any State created out of the Territory of Alaska. When a right-of-way reserved under the provisions of this Act is utilized by the United States or under its authority, the head of the agency in charge of such utilization is authorized to determine and make payment for the value of the crops thereon if not harvested by the owner, and for the value of any improvements, or for the cost of removing them to another site, if less than their value.]

INTERNAL REVENUE CODE OF 1954

§ 2202. MISSIONARIES IN FOREIGN SERVICE.

Missionaries duly commissioned and serving under boards of foreign missions of the various religious denominations in the United States, dying while in the foreign missionary service of such boards, shall not, by reason merely of their intention to permanently remain in such foreign service, be deemed nonresidents of the United States, but shall be presumed to be residents of the State, the District of Columbia,

【Alaska】 or Hawaii wherein they respectively resided at the time of their commissioned and their departure for such foreign service.

* * * * *

§ 3121. DEFINITIONS.

* * * * *

(e) STATE, UNITED STATES, AND CITIZEN.—For purposes of this chapter—

(1) STATE.—The term “State” includes 【Alaska,】 Hawaii, the District of Columbia, Puerto Rico, and the Virgin Islands.

(2) UNITED STATES.—The term “United States” when used in a geographical sense includes Puerto Rico and the Virgin Islands.

An individual who is a citizen of Puerto Rico (but not otherwise a citizen of the United States) shall be considered, for purposes of this section, as a citizen of the United States.

* * * * *

§ 3306. DEFINITIONS.

* * * * *

(j) STATE.—For purposes of this chapter, the term “State” includes 【Alaska,】 Hawaii, and the District of Columbia.

* * * * *

§ 4221. CERTAIN TAX-FREE SALES.

* * * * *

(d) DEFINITIONS.—For the purposes of this section—

* * * * *

(4) STATE OR LOCAL GOVERNMENT.—The term “State or local government” means any State, 【Alaska,】 Hawaii, the District of Columbia, or any political subdivision of any of the foregoing.

* * * * *

§ 4233. EXEMPTIONS.

(a) ALLOWANCE.—No tax shall be imposed under section 4231 in respect of:

* * * * *

(b) STATE DEFINED.—For purposes of subsection (a), the term “State” includes 【Alaska,】 Hawaii, and the District of Columbia.

* * * * *

§ 4262. DEFINITION OF TAXABLE TRANSPORTATION.

* * * * *

(c) DEFINITIONS.—For purposes of this section—

(1) CONTINENTAL UNITED STATES.—The term “continental United States” means the 【existing 48 States and the】 District of Columbia *and the States other than Alaska*.

(2) 225-MILE ZONE.—The term “225-mile zone” means that portion of Canada and Mexico which is not more than 225 miles from the nearest point in the continental United States.

* * * * *

§ 4502. DEFINITIONS.

For the purposes of this subchapter—

* * * * *

(5) UNITED STATES.—The term “United States” shall be deemed to include the States, [the Territories of Hawaii and Alaska] *the Territory of Hawaii*, the District of Columbia, and Puerto Rico.

* * * * *

§ 4774. TERRITORIAL EXTENT OF LAW.

The provisions of sections 4701 to 4707, inclusive, and sections 4721 to 4776, inclusive, shall apply to the several States, the District of Columbia, [the Territory of Alaska,] the Territory of Hawaii, and the insular possessions of the United States; and, in the case of narcotic drugs, shall also apply to the Trust Territory of the Pacific Islands and to the Canal Zone. * * *

* * * * *

§ 7621. INTERNAL REVENUE DISTRICTS

(a) ESTABLISHMENT AND ALTERATION.—The President shall establish convenient internal revenue districts for the purpose of administering the internal revenue laws. The President may from time to time alter such districts.

(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite [two or more States or Territories into one district] *into one district two or more States or a Territory and one or more States*.

* * * * *

§ 7653. SHIPMENTS FROM THE UNITED STATES.

* * * * *

(d) All customs duties and Federal income taxes derived from Guam, the proceeds of all taxes collected under the internal-revenue laws of the United States on articles produced in Guam and transported to the United States, [its Territories, or possessions] *its possessions or the Territory of Hawaii*, or consumed in Guam, and the proceeds of any other taxes which may be levied by the Congress on the inhabitants of Guam, and all quarantine, passport, immigration, and naturalization fees collected in Guam shall be covered into the treasury of Guam and held in account for the government of Guam, and shall be expended for the benefit and government of Guam in accordance with the annual budgets.

* * * * *

J 7701. DEFINITIONS.

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

* * * * *

(9) UNITED STATES.—The term “United States” when used in a geographical sense includes only the States, [the Territories of Alaska and Hawaii] *the Territory of Hawaii*, and the District of Columbia.

(10) STATE.—The term “State” shall be construed to include the [Territories] *Territory of Hawaii* and the District of Columbia, where such construction is necessary to carry out provisions of this title.

TITLE 28, UNITED STATES CODE

§ 48. TERMS OF COURT.

Terms or sessions of courts of appeals shall be held annually at the places listed below, and at such other places within the respective circuits as may be designated by rule of court. Each court of appeals may hold special terms at any place within its circuit.

Circuits	Places
District of Columbia-----	Washington.
First-----	Boston.
Second-----	New York.
Third-----	Philadelphia.
Fourth-----	Richmond, Asheville.
Fifth-----	New Orleans, Atlanta, Fort Worth, Jacksonville, Montgomery.
Sixth-----	Cincinnati.
Seventh-----	Chicago.
Eighth-----	St. Louis, Kansas City, Omaha, St. Paul.
Ninth-----	San Francisco, Los Angeles, Portland, [Seattle.] <i>Seattle, Anchorage.</i>
Tenth-----	Denver, Wichita, Oklahoma City.

Any court of appeals may, with the consent of the Judicial Conference of the United States, pretermite any regular term or session of the court at any place for insufficient business or other good cause.

* * * * *

§ 81A. ALASKA.

Alaska constitutes one judicial district.

Court shall be held at Anchorage, Fairbanks, Juneau, *Ketchikan*, and Nome.

* * * * *

VOCATIONAL REHABILITATION ACT (41 STAT. 735) AS AMENDED (29 U.S.C. SUPP. V, SECS. 41(g), (h) AND (i))

SEC. 11: For the purposes of this Act—

* * * * *

(g) The term "State" includes [Alaska,] the District of Columbia, Hawaii, the Virgin Islands and Puerto Rico, and Guam.

(h)(1) The "allotment percentage" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*), except that (A) the allotment percentage shall in no case be more than 75 per centum or less than 33½ per centum, and (B) the allotment percentage for Hawaii shall be 50 per centum, and the allotment percentage for [Alaska,] Puerto Rico, Guam, and the Virgin Islands shall be 75 per centum.

* * * * *

(i) The "Federal share" for any State for any fiscal year (other than the fiscal year ending June 30, 1954) shall be 100 per centum less that percentage which bears the same ratio to 40 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*),

except that (A) the Federal share shall in no case be more than 70 per centum or less than 50 per centum, and (B) the Federal share for [Hawaii and Alaska] *Hawaii* shall be 60 per centum, and the Federal share for Puerto Rico, Guam, and the Virgin Islands shall be 70 per centum. * * *

GOLD RESERVE ACT OF 1934 (48 STAT. 337) AS AMENDED (31 U.S.C. 444)

SEC. 15. As used in this Act, the term "United States" means the Government of the United States; the term "the continental United States" means the States of the United States [, the District of Columbia, and the Territory of Alaska] *and the District of Columbia*; the term "currency of the United States" means currency which is legal tender in the United States, and includes United States notes, Treasury notes of 1890, gold certificates, silver certificates, Federal Reserve notes, and circulating notes of Federal Reserve banks and national banking associations; and the term "person" means any individual, partnership, association, or corporation, including the Board of Governors of the Federal Reserve System, Federal Reserve banks, and Federal Reserve agents. * * *

SILVER PURCHASE ACT OF 1934 (48 STAT. 1178; 31 U.S.C. 448b)

SEC. 10. As used in this Act—

The term "person" means an individual, partnership, association, or corporation;

The term "the continental United States" means the States of the United States [, the District of Columbia and the Territory of Alaska] *and the District of Columbia*:

* * * * *

TITLE 32, UNITED STATES CODE

§ 101. DEFINITIONS.

In addition to the definitions in sections 1–5 of title 1, the following definitions apply in this title:

(1) "Territory" means [Alaska, Hawaii,] *Hawaii* or any Territory organized after this title is enacted, so long as it remains a territory.

* * * * *

FEDERAL WATER POLLUTION CONTROL ACT (62 STAT. 1155) AS AMENDED (33 U.S.C., SUPP. V. SEC. 466)

SEC. 5. (h) (1) The "Federal share" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*), except that (A) the Federal share shall in no case be more than 66⅔ per centum or less than 33⅓ per centum, and (B)

the Federal share for Hawaii [and Alaska] shall be 50 per centum, and for Puerto Rico and the Virgin Islands shall be 66⅔ per centum.

* * * * *

SEC. 11. When used in this Act—

* * * * *

(d) The term “State” means a State, the District of Columbia, Hawaii, [Alaska,] Puerto Rico, or the Virgin Islands.

TITLE 38, UNITED STATES CODE

§ 903. DEATH IN VETERANS’ ADMINISTRATION FACILITY.

(a) Where death occurs in a Veterans’ Administration facility to which the deceased was properly admitted for hospital or domiciliary care under authority of section 610 or 611(a) of this title, the Administrator shall pay the actual cost (not to exceed \$250) of the burial and funeral.

(b) In addition to the foregoing, when such a death occurs in the continental United States (*including Alaska*), the Administrator shall transport the body to the place of burial in the *continental* United States [, or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans’ Administration for hospital or domiciliary care] (*including Alaska*). Where such a death occurs in a Territory, a Commonwealth, or a possession of the United States, the Administrator shall transport the body to the place of burial within such Territory, Commonwealth, or possession.

(c) Within the limits prescribed in subsection (a), the Administrator may make contracts for burial and funeral services without regard to the laws requiring advertisement for proposals for supplies and services for the Veterans’ Administration.

* * * * *

§ 2007. DEFINITIONS.

When used in this subchapter—

(a) The term “Korean conflict veteran” means any person who has served in the active service in the Armed Forces at any time on or after June 27, 1950, and before February 1, 1955, and who has been discharged or released from such active service under conditions other than dishonorable after continuous service of ninety days or more, or more, or by reason of an actual service-incurred injury or disability.

(b) The term “unemployment compensation” means the money payments to individuals with respect to their unemployment.

(c) The term “State” includes Hawaii, [Alaska,] Puerto Rico, the Virgin Islands, and the District of Columbia.

* * * * *

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 (63 STAT. 378; 40 U.S.C. SECS. 472(f) AND 522(a))

SEC. 3. (f) The term “foreign excess property” means any excess property located outside the continental United States [, Hawaii,

Alaska,] (*including Alaska*), *Hawaii*, Puerto Rico, and the Virgin Islands.

* * * * *

SEC. 702. As used in this title—

(a) The term "State" means each of the several States of the United States and the [Territories of Alaska and Hawaii] *Territory of Hawaii*.

* * * * *

**PUBLIC HEALTH SERVICE ACT (58 STAT. 682) AS AMENDED
(42 U.S.C. SECS. 201, 273, 274, AND 291)**

SEC. 2. When used in this Act—

* * * * *

(f) The term "State" means a State or the District of Columbia, [Hawaii, Alaska,] *Hawaii*, Puerto Rico, or the Virgin Islands, except that as used in section 361(d) such term means a State[, the District of Columbia or Alaska] *or the District of Columbia*.

* * * * *

[SEC. 371. (a) There are authorized to be appropriated the following sums to be available to the Surgeon General of the Public Health Service for the purpose of making grants to the Territory of Alaska to assist it to carry out plans, submitted by the Governor of the Territory or his designee and approved by the Surgeon General, for an integrated mental health program for the Territory, including outpatient and inpatient care and treatment: For each of the fiscal years ending June 30, 1958, and June 30, 1959, the sum of \$1,000,000; for each of the fiscal years ending June 30, 1960, and June 30, 1961, the sum of \$800,000; for each of the fiscal years ending June 30, 1962, and June 30, 1963, the sum of \$600,000; for each of the fiscal years ending June 30, 1964, and June 30, 1965, the sum of \$400,000; and for each of the years ending June 30, 1966, and June 30, 1957, the sum of \$200,000.

[(b) The Surgeon General shall, prior to the beginning of each calendar quarter or such shorter period as the Surgeon General may find necessary, estimate the cost of carrying out the approved plan, on the basis of estimates furnished by the Territory, including estimates of the amount of contractual obligations for hospitalization, and on the basis of such further investigations as he may find necessary. From the amounts appropriated for any fiscal year, the Surgeon General shall pay to the Territory the amount requested by it but not to exceed the amount so estimated by the Surgeon General for each such period, reduced or increased, as the case may be, by any sum (not previously adjusted under this section) by which he finds that the amount paid for any prior period was greater or less than the amount which should have been paid. The amount of any balance of payments made to the Territory under this section and remaining unobligated on July 1, 1967, shall be repaid to the Treasury of the United States.

[(c) Whenever the Surgeon General finds, after affording opportunity for hearing, that the Territory has failed to comply substantially with any provisions of the approved plan, he shall notify the Governor that no further payments will be made under this section (or that further payments will not be made for parts of the plan affected by

such failure) until he is satisfied that there will no longer be any such failure.

[(d) For the purpose of facilitating the administration of the Territory's mental health program, the Surgeon General is authorized to enter into arrangements with the Territorial government to provide for the care and treatment, in hospitals operated by the Service, of patients requiring hospitalization. Such arrangements shall be subject to the availability of suitable facilities therefor and shall provide for charges to the Territorial government in amounts determined by the Surgeon General which shall be sufficient to cover the full cost of such care and treatment. Upon payment by the Territory the amount of such charges shall be credited to the appropriation from which such costs were incurred: *Provided, That, during the period of grants under this section, payment may be effected by deductions from the amount of such grants otherwise payable to the Territory, with such deduction to be credited to the appropriations from which such costs were incurred.*]

* * * * *

SEC. 372. (a) There is hereby authorized to be appropriated an amount not exceeding the total sum of \$6,500,000, to remain available until expended, to enable the Surgeon General to make payments to [the Territory of] Alaska as the total contribution of the Federal Government to be used in defraying the cost of construction of hospital and other facilities in Alaska needed for the carrying out of a comprehensive mental health program.

(b) Such facilities shall be scheduled for construction in accordance with a comprehensive construction program, developed by [the Territory] Alaska in consultation with the Public Health Service and approved by the Surgeon General. Projects shall be constructed in accordance with such approved program and in accordance with plans and specifications for the project approved by the Surgeon General.

(c) Upon certification by [the Territory] Alaska, based upon inspection by it, that work has been performed upon a project, or purchases have been made in accordance with approved plans and specifications, and that payment of the installment is due, the Surgeon General shall certify such installment for payment: *Provided however, That the Surgeon General may cause the project to be inspected at any time, and if such inspection indicates that the project is not being constructed in accordance with approved plans and specifications, he may, after notice and affording opportunity for hearing, withhold further payment until he finds that adequate corrective measures have been taken.*

(d) * * *

(e) If, within twenty years from the date of completion of construction, any hospital or other medical facility constructed with the aid of grants under this section shall cease to be a publicly owned facility operated for the care or treatment of patients under [the Territory's] Alaska's mental health program, the United States shall be entitled to recover from [the Territory] Alaska the then value of the hospital or other medical facility, reduced, however, proportionately, to the extent to which [the Territory] Alaska may have contributed to the cost of construction thereof.

* * * * *

SEC. 631. For the purposes of this title—

(a) the allotment percentage for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*), except that (1) the allotment percentage shall in no case be more than 75 per centum or less than 33½ per centum, and (2) the allotment percentage [for Alaska and Hawaii shall be 50 per centum each] *for Hawaii shall be 50 per centum*, and the allotment percentage for Puerto Rico, Guam, and the Virgin Islands shall be 75 per centum; * * *

(d) the term “State” includes [Alaska,] Hawaii, Puerto Rico, Guam, the Virgin Islands, and the District of Columbia.

SOCIAL SECURITY ACT (49 STAT. 620) AS AMENDED

SEC. 202.(i) * * * In the case of any individual who died outside the [forty-eight] *forty-nine* States and the District of Columbia after December 1956 while he was performing service, as a member of a uniformed service, to which the provisions of section 210(m)(1) are applicable, and who is returned to any of such States, or the District of Columbia, or to any Territory of possession of the United States, for interment or reinterment, the provisions of the third sentence of this subsection shall not prevent payment to any person under the second sentence of this subsection if application for a lump-sum death payment with respect to such deceased individual is filed by or on behalf of such person (whether or not legally competent) prior to the expiration of two years after the date of such interment or reinterment.

* * * * *

SEC. 210. (h) The term “State” includes [Alaska,] Hawaii, the District of Columbia, and the Virgin Islands; and on and after the effective date specified in section 219 such term includes Puerto Rico.

(i) The term “United States” when used in a geographical sense means the States, [Alaska,] Hawaii, the District of Columbia, and the Virgin Islands; and on and after the effective date specified in section 219 such term includes Puerto Rico.

* * * * *

SEC. 524. (a) The “allotment percentage” for any State shall be 100 per centum less the State percentage; and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*); except that (A) the allotment percentage shall in no case be less than 30 per centum or more than 70 per centum, and (B) the allotment percentage shall be [50 per centum in the case of Alaska and] 70 per centum in the case of Puerto Rico, the Virgin Islands, and Guam.

(b) For the fiscal year ending June 30, 1960, and each year thereafter, the “Federal share” for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the

continental United States [(excluding Alaska)] (*including Alaska*), except that (1) in no case shall the Federal share be less than 33½ per centum or more than 66½ per centum, and (2) the Federal share shall be [50 per centum in the case of Alaska and] 66½ per centum in the case of Puerto Rico, the Virgin Islands, and Guam. For the fiscal year ending June 30, 1959, the Federal share shall be determined pursuant to the provisions of section 521 as in effect prior to the enactment of the Social Security Amendments of 1958.

(c) The Federal share and the allotment percentage for each State shall be promulgated by the Secretary between July 1 and August 31 of each even-numbered year, on the basis of the average per capita income of each State and of the continental United States [(excluding Alaska)] (*including Alaska*) for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation: *Provided*, That the Secretary shall promulgate such Federal shares and allotment percentages as soon as possible after the enactment of the Social Security Amendments of 1958, which promulgation shall be conclusive for each of the 3 fiscal years in the period ending June 30, 1961.

* * * * *

SEC. 1101. (a) When used in this Act—

(1) The term "State" includes [Alaska, Hawaii,] *Hawaii* and the District of Columbia, and when used in titles I, IV, V, VII, X, and XIV of this Act includes Puerto Rico, the Virgin Islands, and Guam.

(2) The term "United States" when used in a geographical sense means the States, [Alaska,] *Hawaii*, and the District of Columbia.

* * * * *

(8)(A) The "Federal percentage" for any State (other than Puerto Rico, the Virgin Islands, and Guam) shall be 100 per centum less the State percentage; and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the square of the per capita income of such State bears to the square of the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*); except that (i) the Federal percentage shall in no case be less than 50 per centum or more than 65 per centum, and (ii) the Federal percentage shall be 50 per centum for [Alaska and] *Hawaii*.

(B) The Federal percentage for each State (other than Puerto Rico, the Virgin Islands, and Guam) shall be promulgated by the Secretary between July 1 and August 31 of each even-numbered year, on the basis of the average per capita income of each State and of the continental United States [(excluding Alaska)] (*including Alaska*) for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. * * *

ACT OF JANUARY 12, 1895 (28 STAT. 617) AS AMENDED (44 U.S.C., SUPP. V, SEC. 183)

SEC. 73. The Public Printer shall furnish the Congressional Record as follows and shall furnish gratuitously no others in addition thereto:

* * * * *

To the offices of the Governors of [Alaska,] Hawaii, Puerto Rico, Guam, and the Virgin Islands, each, five copies in both daily and bound form.

FEDERAL REGISTER ACT (49 STAT. 500; 44 U.S.C., SEC. 308)

SEC. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an Act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States [(not including Alaska)] (*including Alaska*), except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of the Congress; or (b) not less than fifteen days when no time for publication is specifically prescribed by the Act, without prejudice, however, to the effectiveness of any notice of less than fifteen days where such shorter period is reasonable.

UNIVERSAL MILITARY TRAINING AND SERVICE ACT, AS AMENDED (62 STAT. 624; 50 U.S.C. APP., SEC. 466(b))

SEC. 16. (b) The term "United States", when used in a geographical sense, shall be deemed to mean the several States, the District of Columbia, [Alaska,] Hawaii, Puerto Rico, the Virgin Islands, and Guam.

ACT OF AUGUST 10, 1956 (70 A STAT. 636; 50 U.S.C. APP., SUPP. V, SEC. 2285(c))

SEC. 43. (c) This section applies only to real property in the United States, [Alaska,] Hawaii, and Puerto Rico. It does not apply to real property for river and harbor projects or flood-control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

ACT OF MAY 4, 1956 (70 STAT. 130)

The Secretary of the Interior, as an aid in the settlement and development of the Territory of Alaska, for a period of five years after the approval of this Act, is authorized to construct campgrounds and parking areas, including necessary access roads thereto, and other public recreation-area facilities in Alaska and to maintain them pending their transfer to appropriate Territorial agencies and communities: * * *

[SEC. 2. There is hereby authorized to be appropriated the sum of \$100,000 per year for each of the fiscal years ending June 30, 1957, June 30, 1958, June 30, 1959, June 30, 1960, and June 30, 1961.]

ACT OF SEPTEMBER 7, 1957 (71 STAT. 629)

SEC. 3. The Board is hereby authorized to guarantee any lender against loss of principal or interest on any aircraft purchase loan made by such lender to any air carrier holding a certificate of public convenience and necessity issued by the Board (a) designated therein to be for local or feeder air service, or (b) providing for operations wholly within the Territory of Hawaii, or (c) providing for operations (the major portion of which are conducted either within Alaska or between Alaska and the United States) within the **Territory** *State* of Alaska (including service between Alaska and the United States, and between Alaska and adjacent Canadian territory), or (d) providing for operations within the Commonwealth of Puerto Rico (including service to the Virgin Islands and the Dominican Republic), or (e) providing for operations between Florida and the British West Indies (including service to Cuba), or (f) for the purpose of authorizing metropolitan helicopter service. Such guaranty shall be made in such form, on such terms and conditions, and pursuant to such regulations, as the Board deems necessary and which are not inconsistent with the provisions of this Act.

DEFENSE BASE ACT, AS AMENDED (55 STAT. 622; 42 U.S.C. 1651 AND THE FOLLOWING)

SEC. 1. (a) Except as herein modified, the provisions of the Longshoremen's and Harbor Workers' Compensation Act, as amended, shall apply in respect to the injury or death of any employee engaged in any employment—

(1) at any military, air, or naval base acquired after January 1, 1940, by the United States from any foreign government; or

(2) upon any lands occupied or used by the United States for military or naval purposes in any Territory or possession outside the continental United States (including **Alaska;** the Philippine Islands; the United States Naval Operating Base, Guantanamo Bay, Cuba; and the Canal Zone); or

(3) upon any public work in any Territory or possession outside the continental United States (including **Alaska;** the Philippine Islands; the United States Naval Operating Base, Guantanamo Bay, Cuba; and the Canal Zone), if such employee is engaged in employment at such place under the contract of a contractor (or any subcontractor or subordinate subcontractor with respect to the contract of such contractor) with the United States; but nothing in this paragraph shall be construed to apply to any employee of such a contractor or subcontractor who is engaged exclusively in furnishing materials or supplies under his contract;

* * * * *

(6) outside the continental United States **[or in Alaska or the Canal Zone]** by an American employer providing welfare or similar services for the benefit of the Armed Forces pursuant to appropriate authorization by the Secretary of Defense.

(b) As used in this section—

* * * * *

(3) the term "war activities" includes activities directly relating to military operations [.] ;

(4) the term "continental United States" means the States and the District of Columbia.

ACT OF MARCH 3, 1891 (26 STAT. 1093), AS AMENDED (16 U.S.C. 607)

In the States of *Alaska*, Colorado, Montana, Idaho, North Dakota, and South Dakota, Wyoming, New Mexico, and Arizona, [and the Territory of Alaska,] and the gold and silver regions of Nevada, California, Oregon, Washington, and Utah in any criminal prosecution or civil action by the United States for a trespass on such public timber lands or to recover timber or lumber cut thereon it shall be a defense if the defendant shall show that the said timber was so cut or removed from the timber lands for use in such State [or Territory] by a resident thereof for agricultural, mining, manufacturing, or domestic purposes under rules and regulations made and prescribed by the Secretary of the Interior and has not been transported out of the same, but nothing herein contained shall operate to enlarge the rights of any railway company to cut timber on the public domain. * * *

WAR HAZARDS COMPENSATION ACT, AS AMENDED (56 STAT. 1028; 42 U.S.C. 1701 AND THE FOLLOWING)

SEC. 101. (a) In case of injury or death resulting from injury—

(1) * * *

(2) to any person engaged by the United States under a contract for his personal services outside the continental United States [or in Alaska or the Canal Zone]; or

(3) to any person employed outside the continental United States [or in Alaska or the Canal Zone] as a civilian employee paid from nonappropriated funds administered by the Army and Air Force Exchange Service, Army and Air Force Motion Picture Service, Navy Ship's Store Ashore, Navy exchanges, Marine Corps exchanges, officers' and noncommissioned officers' open messes, enlisted men's clubs, service clubs, special service activities, or any other instrumentality of the United States under the jurisdiction of the Department of Defense and conducted for the mental, physical, and morale improvement of personnel of the Department of Defense and their dependents; or

(4) * * *

(5) to any person employed or otherwise engaged for personal services outside the continental United States [or in Alaska or the Canal Zone] by an American employer providing welfare or similar services for the benefit of the Armed Forces pursuant to appropriate authorization by the Secretary of Defense.

* * * * *

SEC. 104. * * *

(c) The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State.

SEC. 105. * * *

(f) the term "continental United States" means the States and the District of Columbia.

**TITLE III OF THE ACT OF MARCH 3, 1933 (47 STAT. 1520;
41 U.S.C. 10c)**

SEC. 1. When used in this title—

(a) The term “United States”, when used in a geographical sense, includes the United States and any place subject to the jurisdiction thereof;

(b) The terms “public use”, “public building”, and “public work” shall mean use by, public building of, and public work of, the United States, the District of Columbia, Hawaii, **[Alaska,]** Puerto Rico, American Samoa, the Canal Zone, and the Virgin Islands.



86TH CONGRESS
1ST SESSION

H. R. 7120

[Report No. 369]

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1959

Mr. ASPINALL introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

MAY 19, 1959

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Alaska Omnibus Act".

4 FEDERAL JURISDICTION

5 SEC. 2. (a) Section 4 of the Act of July 7, 1958 (72
6 Stat. 339), providing for the admission of the State of
7 Alaska into the Union, is amended by striking out the words
8 "all such lands or other property, belonging to the United
9 States or which may belong to said natives", and inserting in
10 lieu thereof the words "all such lands or other property (in-

cluding fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives”.

(b) Section 6 (e) of said Act is amended by striking out the word “legislative” and inserting in lieu thereof the word “calendar”.

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

SEC. 3. Any Territorial law, as that term is defined in section 8 (d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union—

(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

(b) the application of which to the State of Alaska is continued solely by reason of such section 8 (d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

SUGAR ACT

SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection “(o)” and to read as follows:

“(o) The term ‘continental United States’ means the forty-nine States and the District of Columbia.”

SOIL BANK ACT

SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C., supp. V, sec. 1837), is amended to read as follows: “This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term ‘State’ includes Hawaii, Puerto Rico, and the Virgin Islands.”

ARMED FORCES

SEC. 6. (a) Title 10, United States Code, section 101(2), is amended by striking out the words “Alaska, Hawaii,” and inserting in lieu thereof the word “Hawaii”.

(b) Title 10, United States Code, sections 802(11) and 802(12), are each amended by striking out the words “that part of Alaska east of longitude 172 degrees west,”.

(c) Title 10, United States Code, section 2662(c), is amended by striking out the word “Alaska,”.

NATIONAL BANK ACT

SEC. 7. Section 5192 of the Revised Statutes, as amended (12 U.S.C. 144), is further amended by striking out the words “in Alaska or”.

1 FEDERAL RESERVE ACT

2 SEC. 8. (a) Section 1 of the Federal Reserve Act, as
3 amended (12 U.S.C. 221), is further amended by deleting
4 the period at the end of such section and inserting in lieu
5 thereof the following: “; the term ‘the continental United
6 States’ means the States of the United States and the District
7 of Columbia.”

8 (b) Section 19 of the Federal Reserve Act, as amended
9 (12 U.S.C. 466), is further amended by striking the words
10 “in Alaska or”.

11 HOME LOAN BANK BOARD

12 SEC. 9. (a) Paragraph (3) of section 2 of the Federal
13 Home Loan Bank Act, as amended (12 U.S.C. 1422 (3)),
14 is further amended by striking out the words “Territories of
15 Alaska and Hawaii” and inserting in lieu thereof the words
16 “Territory of Hawaii”.

17 (b) Section 7 of the Home Owners’ Loan Act of 1933,
18 as amended (12 U.S.C. 1466), is further amended by strik-
19 ing out the words “continental United States, to the Terri-
20 tories of Alaska and Hawaii” and inserting in lieu thereof the
21 words “continental United States (including Alaska), to the
22 Territory of Hawaii”.

23 NATIONAL HOUSING ACT

24 SEC. 10. The National Housing Act is amended by—

25 (a) striking out the word “Alaska,” in section 9,

201 (d), 207 (a) (7), 601 (d), 713 (q), and 801 (g)
 (12 U.S.C., secs. 1706d, 1707 (d), 1713 (a) (7),
 1756 (d), 1747 1 (q) ; supp. V, sec. 1748 (g)) ;

(b) striking out the words “the Territory of
 Alaska,” in section 207 (c) (2) (12 U.S.C., supp. V,
 sec. 1713 (c) (2)), and inserting the word “Alaska” in
 lieu thereof;

(c) striking out the words “the Territory of Alaska
 or in Guam” in section 214 (12 U.S.C., supp. V, sec.
 1715d, 48 U.S.C., supp. V, sec. 484d), and inserting
 the words “Alaska, Guam,” in lieu thereof; and

(d) striking out the word “Territory” in the two
 places where it appears in section 806 (12 U.S.C.,
 supp. V, sec. 1748e), inserting the word “State” in lieu
 thereof.

COAST GUARD

SEC. 11. Title 14, United States Code, section 634 (b),
 is amended by striking out the words “and for the territory
 of” in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

SEC. 12. (a) paragraph (6) of section 2 of the Securi-
 ties Act of 1933, as amended (15 U.S.C. 77b (6)), is
 further amended by striking out the word “Alaska,”.

(b) Paragraph (16) of section 3 (a) of the Securities
 Exchange Act of 1934, as amended (15 U.S.C. 78c (a)

1 (16)), is further amended by striking out the word
2 “Alaska,”.

3 (c) Paragraph (18) of section 202 (a) of the Invest-
4 ment Advisers Act of 1940, as amended (15 U.S.C. 80b-2
5 (a) (18)), is further amended by striking out the word
6 “Alaska,”.

7 (d) Paragraph (37) of section 2 (a) of the Investment
8 Company Act of 1940, as amended (15 U.S.C. 80a-2 (a)
9 (37)), is further amended by striking out the word
10 “Alaska,”.

11 (e) Paragraph (1) of section 6 (a) of the Investment
12 Company Act of 1940, as amended (15 U.S.C. 80a-6 (a)
13 (1)), is further amended by striking out the word “Alaska,”.

14 SOIL CONSERVATION

15 SEC. 13. (a) Section 8 (b) of the Soil Conservation and
16 Domestic Allotment Act, as amended (16 U.S.C., supp. V,
17 sec. 590h (b)), is further amended by inserting, immediately
18 following the words “continental United States”, the words
19 “, except in Alaska”.

20 (b) Section 17 (a) of the Soil Conservation and Do-
21 mestic Allotment Act, as amended (16 U.S.C. 590q (a)),
22 is further amended by striking out the words “the United
23 States, the Territories of Alaska and Hawaii” and inserting
24 in lieu thereof the words “the States, the Territory of

1 Hawaii", and by striking out the word "Alaska" the second
2 time it appears therein.

3 BALD EAGLES

4 SEC. 14. Section 1 of the Act of June 8, 1940 (16
5 U.S.C. 668), is amended by striking out the words "except
6 the Territory of Alaska,".

7 WILDLIFE RESTORATION

8 SEC. 15. Section 8 (a) of the Act of September 2,
9 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is
10 further amended by striking out the words "the Alaska
11 Game Commission," "said Territory of Alaska," "not ex-
12 ceeding \$75,000 for Alaska, and", and "the Territory of
13 Alaska,".

14 FISH RESTORATION

15 SEC. 16. Section 12 of the Act of August 9, 1950, as
16 amended (16 U.S.C., supp. V, sec. 777k), is further
17 amended by striking out the words "the Alaska Game Com-
18 mission," "said Territory of Alaska," "not exceeding
19 \$75,000 for Alaska, and", and "the Territory of Alaska,".

20 CRIMINAL CODE

21 SEC. 17. (a) Title 18, United States Code, section
22 5024, is amended by striking out the words "other than
23 Alaska" and inserting in lieu thereof the words "including
24 Alaska".

1 (b) Section 6 of the Act of August 25, 1958 (72 Stat.
2 845, 847), is amended by striking out the words "other than
3 Alaska" and inserting in lieu thereof the words "including
4 Alaska".

5 (c) Subsections (a) and (b) of this section shall be
6 effective on July 7, 1961, or on the date of the Executive
7 order referred to in section 18 of the Act of July 7, 1958
8 (72 Stat. 339, 350), providing for the admission of the
9 State of Alaska into the Union, whichever occurs first.

10 (d) Title 18 United States Code, section 1385, is
11 amended by deleting the last sentence thereof.

12 EDUCATION

13 SEC. 18. (a) (1) Subsection (a) of section 103 of the
14 National Defense Education Act of 1958 (72 Stat. 1580,
15 1582), relating to definition of State, is amended by striking
16 out "Alaska", each time it appears.

17 (2) Paragraph (3) (B) of section 302(a) of such
18 Act (72 Stat. 1580, 1588), relating to definition of
19 continental United States for purposes of allotments for
20 science, mathematics and modern foreign language instruc-
21 tion equipment, is amended by striking out "does not in-
22 clude Alaska" and inserting in lieu thereof "includes Alaska".

23 (3) Section 1008 of such Act (72 Stat. 1580, 1605),
24 relating to allotments to Territories, is amended by striking
25 out "Alaska,".

1 (b) (1) Section 4 of the Act of February 23, 1917
2 (20 U.S.C. 14), relating to allotments for teacher-training,
3 is amended by striking out “\$90,000” and inserting in lieu
4 thereof “\$98,500”. The proviso in the last paragraph of
5 section 5 of such Act (20 U.S.C. 16) and so much of
6 section 12 of such Act (20 U.S.C. 22) as follows the last
7 semicolon shall not be applicable to Alaska prior to the third
8 fiscal year which begins after the enactment of this Act.

9 (2) Paragraph (1) of section 2 of the Vocational
10 Education Act of 1946 (20 U.S.C. 15i), relating to defini-
11 tion of States and Territories, is amended by striking out
12 “the Territories of Alaska and Hawaii” and inserting in lieu
13 thereof “the Territory of Hawaii”.

14 (3) Subsection (e) of section 210 (20 U.S.C., supp. V,
15 sec. 15jj (e)), and subsection (a) of section 307 of such Act
16 (72 Stat. 1580, 1600), relating to definition of State, are
17 each amended by striking out “Alaska,”.

18 (c) Paragraph (13) of section 15 of the Act of Sep-
19 tember 23, 1950, as amended (72 Stat. 548, 558), relat-
20 ing to definition of State, is amended by striking out
21 “Alaska,”.

22 (d) (1) The material in the parentheses in the first sen-
23 tence of subsection (d) of section 3 of the Act of Septem-
24 ber 30, 1950, as amended, relating to determination of local

1 contribution rate, is amended to read: “(other than a local
2 educational agency in Hawaii, Puerto Rico, Wake Island,
3 Guam, or the Virgin Islands, or in a State in which a sub-
4 stantial proportion of the land is in unorganized territory
5 for which a State agency is the local educational agency)”.

6 (2) The fourth sentence of such subsection is amended
7 by inserting “(including Alaska)” after “continental United
8 States” the first time it appears in such sentence. The fifth
9 sentence of such subsection is amended by inserting “(in-
10 cluding Alaska)” after “continental United States” the sec-
11 ond time it appears in such sentence.

12 (3) The last sentence of such subsection is amended
13 by striking out “Alaska,” and by inserting after “the Virgin
14 Islands,” the following: “or in any State in which a substan-
15 tial proportion of the land is in unorganized territory for
16 which a State agency is the local educational agency,”.

17 (4) Paragraph (8) of section 9 of such Act (20
18 U.S.C., supp. V, sec. 244(8)), relating to definition of
19 State, is amended by striking out “Alaska,”.

20 IMPORTATION OF MILK AND CREAM

21 SEC. 19. Subsection (b) of section 9 of the Act of
22 February 15, 1927 (21 U.S.C., sec. 149(b)), is amended
23 by inserting the words “, including Alaska” immediately fol-
24 lowing the words “continental United States”.

OPIUM POPPY CONTROL

SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C., sec. 188k), is amended by deleting therefrom the words "the Territory of Alaska,".

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 40 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal

1 ownership for purposes other than or in addition to road
2 purposes.

3 (b) Notwithstanding any other provision of this sec-
4 tion, any contract entered into by the Federal Government
5 in connection with the activities of the Bureau of Public
6 Roads in Alaska which has not been completed on the date
7 of the transfer provided under subsection (a) hereof may
8 be completed according to the terms thereof.

9 (c) (1) The State of Alaska shall be responsible for
10 the maintenance of roads, including bridges, tunnels, and
11 ferries, transferred to it under subsection (a) of this section,
12 as long as any such road is needed for highway purposes.

13 (2) Federal-aid funds, apportioned to Alaska under title
14 23, United States Code, for fiscal year 1960 and prior fiscal
15 years, and unobligated on the date of enactment of this
16 Act, may be used for maintenance of highways on the
17 Federal-aid systems in Alaska.

18 (d) Effective July 1, 1959, the following provisions
19 of law are repealed:

20 (1) Title 23, United States Code, section 103 (f) ;

21 (2) Title 23, United States Code, section 116 (d) ;

22 (3) Title 23, United States Code, section 119;

23 (4) Title 23, United States Code, section 120 (h),

1 except that the portion of the first sentence thereof relating
2 to the percentage of funds to be contributed by Alaska shall
3 continue to apply to funds apportioned to Alaska for fiscal
4 year 1960 and prior fiscal years;

5 (5) Sections 107 (b) and (d) of the Federal-Aid
6 Highway Act of 1956 (70 Stat. 374, 377, 378) ;

7 (6) Section 2 of the Act of January 27, 1905 (33
8 Stat. 616), as amended (48 U.S.C., sec. 322 and the
9 following) ; and

10 (7) The Act of June 30, 1932 (47 Stat. 446), as
11 amended (48 U.S.C., sec. 321 (a) and the following) .

12 (e) Effective on July 1, 1959, the following provisions
13 of law are amended:

14 (1) The definition of the term "State" in title 23,
15 United States Code, section 101 (a), is amended to read
16 as follows: "The term 'State' means any one of the forty-
17 nine States, the District of Columbia, Hawaii, or Puerto
18 Rico.";

19 (2) Title 23, United States Code, section 104 (b), is
20 amended by deleting the phrase " , except that only one-third
21 of the area of Alaska shall be included" where it appears in
22 paragraphs (1) and (2) of said section 104 (b) ;

23 (3) Title 23, United States Code, section 116 (a), is

1 amended by deleting the phrase "Except as provided in
2 subsection (d) of this section," and by capitalizing the
3 word "it" immediately following such phrase; and

4 (4) Title 23, United States Code, section 120 (a), is
5 amended by deleting the phrase "subsections (d) and (h)"
6 and by inserting in lieu thereof the phrase "subsection (d)".

7 INTERNAL REVENUE

8 SEC. 22. (a) Section 2202 of the Internal Revenue
9 Code of 1954 (relating to missionaries in foreign service),
10 and sections 3121 (e) (1), 3306 (j), 4221 (d) (4), and 4233
11 (b) of such Code (each relating to a special definition of
12 "State") are amended by striking out "Alaska,".

13 (b) Section 4262 (c) (1) of the Internal Revenue Code
14 of 1954 (definition of "continental United States") is
15 amended to read as follows:

16 "(1) CONTINENTAL UNITED STATES.—The term
17 'continental United States' means the District of Colum-
18 bia and the States other than Alaska."

19 (c) Section 4502 (5) of the Internal Revenue Code of
20 1954 (relating to definition of "United States") is amended
21 by striking out "the Territories of Hawaii and Alaska" and
22 by inserting in lieu thereof "the Territory of Hawaii".

23 (d) Section 4774 of the Internal Revenue Code of 1954

1 (relating to territorial extent of law) is amended by striking
2 out "the Territory of Alaska,".

3 (e) Section 7621 (b) of the Internal Revenue Code of
4 1954 (relating to boundaries of internal revenue districts) is
5 amended to read as follows:

6 " (b) BOUNDARIES.—For the purpose mentioned in sub-
7 section (a); the President may subdivide any State, Ter-
8 ritory, or the District of Columbia, or may unite into one
9 district two or more States or a Territory and one or more
10 States."

11 (f) Section 7653 (d) of the Internal Revenue Code of
12 1954 is amended by striking out "its Territories or posses-
13 sions" and inserting in lieu thereof "its possessions or the
14 Territory of Hawaii".

15 (g) Section 7701 (a) (9) of the Internal Revenue
16 Code of 1954 (relating to definition of "United States") is
17 amended by striking out "the Territories of Alaska and Ha-
18 waii" and inserting in lieu thereof "the Territory of Hawaii".

19 (h) Section 7701 (a) (10) of the Internal Revenue
20 Code of 1954 (relating to definition of State) is amended
21 by striking out "Territories" and inserting in lieu thereof
22 "Territory of Hawaii".

23 (i) The amendments contained in subsections (a)

1 through (h) of this section shall be effective as of January
2 3, 1959.

3 COURTS

4 SEC. 23. (a) Title 28, United States Code, section 48,
5 is amended by striking out the word "Seattle." and inserting
6 in lieu thereof the words "Seattle, Anchorage."

7 (b) Title 28, United States Code, section 81A, is
8 amended by inserting the word "Ketchikan," immediately
9 following the word "Juneau,".

10 (c) Such authority as has been exercised by the At-
11 torney General heretofore, with regard to the Federal court
12 system in Alaska, pursuant to section 30 of the Act of June
13 6, 1900 (48 U.S.C. 25), shall continue to be exercised by
14 him after the court created by section 12 (b) of the Act of
15 July 7, 1958 (72 Stat. 339, 348), providing for the ad-
16 mission of the State of Alaska into the Union, is established.

17 (d) All balances of public moneys received by the clerks
18 of each division of the District Court for the Territory of
19 Alaska pursuant to section 10 of the Act of June 6, 1900,
20 as amended (48 U.S.C. 107), which are on hand after all
21 payments ordered by that court and approved by the Admin-
22 istrative Office of the United States Courts shall have been
23 made, shall be covered into the Treasury of the United

1 States as required by law, and the Secretary of the Treasury
2 shall pay the amounts so covered, which are hereby appro-
3 priated, to the State of Alaska.

4 VOCATIONAL REHABILITATION ACT

5 SEC. 24. (a) Subsection (g) of section 11 of the Voca-
6 tional Rehabilitation Act (29 U.S.C. supp. V, sec. 41 (g)),
7 relating to definition of State, is amended by striking out
8 "Alaska,".

9 (b) (1) Subsection (i) and paragraph (1) of subsec-
10 tion (h) of such section, relating to definition of allotment
11 percentages and Federal shares for purposes of allotment and
12 matching for vocational rehabilitation services, are each
13 amended by striking out "(excluding Alaska)" and inserting
14 in lieu thereof "(including Alaska)".

15 (2) Paragraph (1) of such subsection (h) is further
16 amended by striking out "Alaska,".

17 (3) Such subsection (i) is further amended by striking
18 out "Hawaii and Alaska" in clause (B) and inserting in
19 lieu thereof "Hawaii".

20 GOLD RESERVE ACT

21 SEC. 25. Section 15 of the Gold Reserve Act of 1934,
22 as amended (31 U.S.C. 444) , is further amended by strik-

1 ing out the words “, the District of Columbia, and the Ter-
2 ritory of Alaska” and inserting in lieu thereof the words
3 “and the District of Columbia”.

4 SILVER PURCHASE ACT

5 SEC. 26. Section 10 of the Silver Purchase Act of 1934
6 (31 U.S.C. 448b) is amended by striking out the words
7 “, the District of Columbia and the Territory of Alaska”
8 and inserting in lieu thereof the words “and the District of
9 Columbia”.

10 NATIONAL GUARD

11 SEC. 27. Title 32, United States Code, section 101 (1) ,
12 is amended by striking out the words “Alaska, Hawaii,”
13 and inserting in lieu thereof the word “Hawaii”.

14 WATER POLLUTION CONTROL ACT

15 SEC. 28. (a) Paragraph (1) of section 5(h) of the
16 Federal Water Pollution Control Act (33 U.S.C., supp.
17 V. sec. 466d(h) (1)), relating to Federal share for pur-
18 poses of matching for program operation, is amended by
19 striking out “(excluding Alaska)” and inserting in lieu
20 thereof “(including Alaska)” and by striking out in clause
21 (B), “and Alaska”.

22 (b) Subsection (d) of section 11 of such Act (33
23 U.S.C., supp. V., sec. 466j (d)) is amended by striking
24 out “Alaska,”.

VETERANS' ADMINISTRATION

SEC. 29. (a) Title 38, United States Code, section 903 (b), is amended by striking out the words “, or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veteran’s Administration for hospital or domiciliary care”; by inserting the word “continental” immediately before the words “United States” the second time they appear in such section; and by inserting immediately following the words “continental United States” in both places where they appear in such section, the parenthetical phrase “(including Alaska)”.

(b) Title 38, United States Code, section 2007 (c), is amended by striking out the word “Alaska,”.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

SEC. 30. (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472 (f)), is amended by striking out the words “, Hawaii, Alaska,” and inserting in lieu thereof the words “(including Alaska), Hawaii,”.

(b) Subsection (a) of section 702 of such Act (40 U.S.C., supp. V, sec. 522 (a)), is amended by striking out the words “Territories of Alaska and Hawaii” and inserting in lieu thereof the words “Territory of Hawaii”.

PUBLIC HEALTH SERVICE ACT

SEC. 31. (a) Subsection (f) of section 2 of the Public Health Service Act (42 U.S.C. 201 (f)), relating to definition of State, is amended by striking out "Hawaii, Alaska," and inserting in lieu thereof "Hawaii," and by striking out ", the District of Columbia, or Alaska" and inserting in lieu thereof "or the District of Columbia".

(b) (1) Effective July 1, 1959, section 371 of the Public Health Service Act, as added by the Alaska Mental Health Enabling Act (42 U.S.C., supp. V, sec. 273), is repealed.

(2) Subsection (a) of section 372 of such Act (42 U.S.C., supp. V, sec. 274 (a)) is amended by striking out "the Territory of".

(3) Subsections (b), (c), and (e) of such section are each amended by striking out "the Territory" each time it appears and inserting in lieu thereof "Alaska".

(4) Such subsection (e) is further amended by striking out "the Territory's" and inserting in lieu thereof "Alaska's".

(c) (1) Subsection (a) of section 631 of such Act (42 U.S.C., supp. V, sec. 291i (a)), relating to definition of allotment percentage for purposes of allotments for construction, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by strik-

1 ing out “for Alaska and Hawaii shall be 50 per centum
2 each” in clause (2) and inserting in lieu thereof “for Ha-
3 waii shall be 50 per centum”.

4 (2) Subsection (d) of such section, relating to defi-
5 nition of State, is amended by striking out “Alaska,”.

6 SOCIAL SECURITY ACT

7 SEC. 32. (a) Paragraph (8) of section 1101 (a) of
8 the Social Security Act (72 Stat. 1013, 1050), relating to
9 definition of Federal percentage for purposes of matching
10 for public assistance grants, is amended by striking out
11 “Alaska and” in clause (ii) of subparagraph (A) and by
12 striking out “(excluding Alaska)” in subparagraphs (A)
13 and (B) and inserting in lieu thereof “(including Alaska)”.

14 (b) (1) Subsection (a) of section 524 of the Social
15 Security Act (72 Stat. 1013, 1054), relating to definition
16 of allotment percentage for purposes of allotments for child
17 welfare services, is amended by striking out “50 per centum
18 in the case of Alaska and” in clause (B).

19 (2) Subsection (b) of such section, relating to defini-
20 tion of Federal share for purposes of matching for child
21 welfare services, is amended by striking out “50 per centum
22 in the case of Alaska and” in clause (2).

23 (3) Such subsections (a) and (b), and subsection (c)
24 of such section, relating to promulgation of Federal shares

1 and allotment percentages, are each amended by striking out
2 “(excluding Alaska)” and inserting in lieu thereof “(in-
3 cluding Alaska)”.

4 (c) (1) The last sentence of section 202 (i) of the Social
5 Security Act (42 U.S.C., supp. V, sec. 402 (i)), is amended
6 by striking out “forty-eight” and inserting in lieu thereof
7 “forty-nine”.

8 (2) Subsections (h) and (i) of section 210 of such Act
9 (42 U.S.C. 410 (h), (i)), relating to definitions of State
10 and United States for purposes of old-age, survivors, and
11 disability insurance, are each amended by striking out
12 “Alaska,”.

13 (d) (1) Paragraph (1) of section 1101 (a) of the
14 Social Security Act (42 U.S.C., supp. V, sec. 1301 (a)
15 (1)), relating to definition of State, is amended by strik-
16 ing out “Alaska, Hawaii,” and inserting in lieu thereof
17 “Hawaii”.

18 (2) Paragraph (2) of such section (42 U.S.C. 1301
19 (a) (2)), relating to definition of United States, is
20 amended by striking out “Alaska,”.

21 CONGRESSIONAL RECORD

22 SEC. 33. Section 73 of the Act of January 12, 1895,
23 as amended (44 U.S.C., supp. V, sec. 183), is further
24 amended by striking out the word “Alaska,”.

FEDERAL REGISTER

SEC. 34. Section 8 of the Federal Register Act (44 U.S.C., sec. 308), is amended by striking out the parenthetical phrase “(not including Alaska)” and inserting in lieu thereof the parenthetical phrase “(including Alaska)”.

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all, the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or person, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act

1 of May 28, 1948, as amended (48 U.S.C. 485 and the fol-
2 lowing), which has not been completed by the date of enact-
3 ment of this Act, may be completed according to the terms
4 thereof.

5 SELECTIVE SERVICE

6 SEC. 36. Section 16 (b) of the Universal Military Train-
7 ing and Service Act, as amended (50 U.S.C. App., sec.
8 466 (b)), is further amended by striking out the word
9 "Alaska,".

10 REAL PROPERTY TRANSACTIONS

11 SEC. 37. Section 43 (c) of the Act of August 10, 1956
12 (50 U.S.C. App., supp. V, sec. 2285 (c)), is amended by
13 striking out the word "Alaska,".

14 RECREATION FACILITIES

15 SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat.
16 130), is hereby repealed. There are hereby authorized to
17 be appropriated for the fiscal year ending June 30, 1960,
18 such sums as may be necessary to complete the construction
19 of facilities described in section 1 of such Act, as amended by
20 the Act of August 30, 1957 (71 Stat. 510), if construction
21 was begun prior to June 30, 1959, and to maintain the
22 facilities pending their transfer pursuant to such section.

23 AIRCRAFT LOAN GUARANTEES

24 SEC. 39. Section 3 of the Act of September 7, 1957
25 (71 Stat. 629), is amended by striking out the words "Ter-

1 ritory of Alaska” and inserting in lieu thereof the words
2 “State of Alaska”.

3 DEFENSE BASE ACT

4 SEC. 40. (a) Paragraph (2) and (3) of section 1 (a)
5 of the Defense Base Act, as amended (55 Stat. 622; 42
6 U.S.C. 1651 and the following), are amended by striking
7 out “Alaska;” in the parenthetical phrase in each paragraph.

8 (b) Paragraph (6) of section 1 (a) of that Act is
9 amended by striking out “or in Alaska or the Canal Zone”.

10 (c) Section 1 (b) of that Act is amended by striking the
11 period at the end of paragraph (3), inserting in lieu thereof
12 a semicolon, and adding the following paragraph: “(4) the
13 term ‘continental United States’ means the States and the
14 District of Columbia.”

15 TIMBER REMOVAL

16 SEC. 41. The Act of March 3, 1891 (26 Stat. 1093),
17 as amended (16 U.S.C. 607), is further amended by delet-
18 ing the words “Territory of Alaska” and the words “or
19 Territory” where they there appear and by inserting the
20 word “Alaska,” after the words “In the State of”.

21 WAR HAZARDS COMPENSATION ACT

22 SEC. 42. (a) Paragraphs (2), (3), and (5) of section
23 101 (a) of the War Hazards Compensation Act, as amended
24 (56 Stat. 1028; 42 U.S.C. 1701 and the following) are
25 amended by striking out “or in Alaska or the Canal Zone”.

1 (b) Section 104 of that Act is amended by adding the
2 following new subsection at the end thereof:

3 “(c) The provisions of this section shall not apply with
4 respect to benefits on account of any injury or death occur-
5 ring within any State.”

6 (c) Section 201 of that Act is amended by adding the
7 following new subsection at the end thereof:

8 “(f) the term ‘continental United States’ means the
9 States and the District of Columbia.”

10 BUY AMERICAN ACT

11 SEC. 43. Section 1 (b) of Title III of the Act of March
12 3, 1933 (41 U.S.C. 10c(b)), is amended by striking out
13 the word “Alaska,”.

14 TRANSITIONAL GRANTS

15 SEC. 44. (a) In order to assist the State of Alaska in
16 accomplishing an orderly transition from Territorial status
17 to statehood, and in order to facilitate the assumption by the
18 State of Alaska of responsibilities hitherto performed in
19 Alaska by the Federal Government, there are hereby author-
20 ized to be appropriated to the President, for the purpose of
21 making transitional grants to the State of Alaska, the sum
22 of \$10,500,000 for the fiscal year ending June 30, 1960;
23 the sum of \$6,000,000 for each of the fiscal years ending
24 June 30, 1961, and June 30, 1962; and the sum of \$3,000,-

1 000 for each of the fiscal years ending June 30, 1963, and
2 June 30, 1964.

3 (b) The Governor of Alaska may submit to the Presi-
4 dent a request that a Federal agency continue to provide
5 services or facilities in Alaska for an interim period, pending
6 the provision of such services or facilities by the State of
7 Alaska. Such interim period shall not extend beyond June
8 30, 1964. In the event of such request, and in the event
9 of the approval thereof by the President, the President may
10 allocate, at his discretion, to such agency the funds necessary
11 to finance the provision of such services or facilities. Such
12 funds shall be allocated from appropriations made pursuant
13 to subsection (a) hereof, and the amount of such funds shall
14 be deducted from the amount of grants available to the State
15 of Alaska pursuant to such subsection.

16 (c) After the transfer or conveyance to the State of
17 Alaska of any property or function pursuant to the Act of
18 July 7, 1958 (72 Stat. 339), providing for the admission
19 of the State of Alaska into the Union, or pursuant to this
20 Act or any other law, and until June 30, 1964, the head of
21 the Federal agency having administrative jurisdiction of such
22 property prior to its transfer or conveyance may contract
23 with the State of Alaska for the performance by such agency,
24 on a reimbursable basis, of some or all of the functions

1 authorized to be performed by it in Alaska immediately pre-
2 ceding such conveyance or transfer.

3 TRANSFER OF PROPERTY

4 SEC. 45. If the President determines that any func-
5 tion performed by the Federal Government in Alaska has
6 been terminated or curtailed by the Federal Government
7 and that performance of such function or substantially the
8 same function has been or will be assumed by the State of
9 Alaska, the President may, until July 1, 1964, in his dis-
10 cretion, transfer and convey to the State of Alaska, without
11 reimbursement, any property or interest in property, real or
12 personal, situated in Alaska which is owned or held by the
13 United States in connection with such function.

14 CLAIMS COMMISSION

SEC. 46. (a) In the event that any disputes arise between the United States and the State of Alaska prior to January 1, 1965, concerning the transfer, conveyance, or other disposal of property to the State of Alaska pursuant to section 6 (e) of the Act of July 7, 1958 (72 Stat. 339, 340), providing for the admission of the State of Alaska into the Union, or pursuant to this Act, the President is authorized (1) to appoint by and with the advice and consent of the Senate a temporary commission of three persons, to consider, ascertain, adjust, determine, and settle such disputes, and (2) to make such rules and regulations as may be neces-

1 sary to establish such temporary commission or as may be
2 necessary to terminate such temporary commission at the
3 conclusion of its duties. In carrying out its duties under this
4 section, such commission may hold such hearings, take such
5 testimony, sit and act at such times and places, and incur
6 such expenditures as the commission deems necessary. No
7 commission shall be appointed under authority of this sub-
8 section after June 30, 1965.

9 (b) The commission may, without regard to the civil-
10 service laws and the Classification Act of 1949, employ and
11 fix the compensation of such employees as it deems neces-
12 sary to carry out its duties under this section. The commis-
13 sion is authorized to use the facilities, information, and per-
14 sonnel of the departments, agencies, and establishments of
15 the executive branch of the United States Government which
16 it deems necessary to carry out its duties; and each such
17 department, agency, and instrumentality is authorized to
18 furnish such facilities, information, and personnel to the
19 commission upon request made by the commission. The
20 commission shall reimburse each such department, agency,
21 or instrumentality for the services of any personnel utilized.
22 The commission may establish such procedures, rules, and
23 regulations as may be necessary to carry out its duties under
24 this section.

25 (c) No member of such commission shall be an officer.

1 or employee of the United States or of the State of Alaska.
2 Each member of the commission shall be paid compensation
3 at the rate of \$50 per day for each day spent in the work
4 of the commission, shall be reimbursed for actual and neces-
5 sary travel expenses, and shall receive a per diem allowance
6 in accordance with the provisions of the Travel Expense
7 Act of 1949, as amended, when away from his usual place
8 of residence.

9 (d) There are hereby authorized to be appropriated such
10 sums as may be necessary to enable the commission to per-
11 form its duties under this section.

12 EFFECTIVE DATES

13 SEC. 47. (a) The amendments made by paragraph
14 (2) of subsection (a) of section 18, by subsection (a) of
15 section 28, by paragraph (1) of subsection (c) of section
16 31, by subsections (a) and (b) of section 32, and, except as
17 provided in subsection (c) of this section, by subsection
18 (b) of section 24, shall be applicable in the case of promul-
19 gations of Federal shares, allotment percentages, allotment
20 ratios, and Federal percentages, as the case may be, made
21 after satisfactory data are available from the Department of
22 Commerce for a full year on the per capita income of Alaska,
23 and for this purpose such promulgations shall, before such
24 data for the full period required by the applicable statutory
25 provision as so amended are available from the Department

1 of Commerce, be based on satisfactory data available from
2 such Department for such one full year or, when such data
3 for a two-year period are available, for such two years.

4 (b) The amendments made by paragraphs (1) and (3)
5 of subsection (a) of section 18 shall be applicable, in the
6 case of allotments under section 302 (b) or 502 of the
7 National Defense Education Act of 1958, for fiscal years
8 beginning July 1, 1959, and, in the case of allotments under
9 section 302 (a) of such Act, in the case of allotments based
10 on allotment ratios, promulgated under such section 302 (a) ,
11 to which the amendment made by paragraph (2) of sub-
12 section (a) of section 18 of this Act is applicable.

13 (c) (1) The allotment percentage determined for Alaska
14 under section 11 (h) of the Vocational Rehabilitation Act,
15 as amended by this Act, for the first, second, third, and
16 fourth years for which the amendments made by this Act
17 are applicable to such section shall be increased by 76 per
18 centum, 64 per centum, 52 per centum, and 28 per centum,
19 respectively, of the difference between such allotment per-
20 centage for the year involved and 75 per centum.

21 (2) The Federal share for Alaska determined under
22 section 11 (i) of the Vocational Rehabilitation Act, as
23 amended by this Act, for the first year for which the amend-
24 ments made by this Act are applicable to such section shall

1 be increased by 70 per centum of the difference between
2 such Federal share for such year and 60 per centum.

3 (3) If such first year for which such amendments made
4 by this Act are applicable is any fiscal year ending prior
5 to July 1, 1962, the adjusted Federal share for Alaska for
6 such year for purposes of section 2 (b) of the Vocational
7 Rehabilitation Act shall, notwithstanding the provisions of
8 paragraph (3) (A) of such section 2 (b), be the Federal
9 share determined pursuant to paragraph (2) of this sub-
10 section.

11 (d) The amendments made by paragraphs (2) and
12 (3) of subsection (b), by subsection (c), and by paragraph
13 (4) of subsection (d) of section 18; by subsection (a) of
14 section 24; by subsection (b) of section 28; by subsection
15 (a), by subparagraphs (2), (3), and (4) of subsection
16 (b), and by paragraph (2) of subsection (c) of section 31;
17 by paragraph (2) of subsection (c) and by subsection (d)
18 of section 32; and, except as provided in subsection (b) of
19 this section by paragraph (1) of subsection (a) of section
20 18, shall be effective on January 3, 1959.

21 (e) The amendment made by paragraph (1) of sub-
22 section (c) of section 32 shall apply in the case of deaths
23 occurring on or after January 3, 1959.

24 (f) The amendments made by paragraph (1) of sub-

1 section (b) and paragraphs (1), (2), and (3) of subsec-
 2 tion (d) of section 18 shall be applicable for fiscal years
 3 beginning July 1, 1959.

4 (g) The amendments in sections 40 and 42 shall take
 5 effect when enacted: *Provided, however,* That with respect to
 6 injuries or deaths occurring on or after January 3, 1959,
 7 and prior to the effective date of these amendments, claims
 8 filed by employees engaged in the State of Alaska in any of
 9 the employments covered by the Defense Base Act (and
 10 their dependents) may be adjudicated under the Workmen's
 11 Compensation Act of Alaska instead of the Defense Base
 12 Act.

13 DEFINITION OF "CONTINENTAL UNITED STATES"

14 SEC. 48. Whenever the phrase "continental United
 15 States" is used in any law of the United States enacted after
 16 the date of enactment of this Act, it shall mean the forty-
 17 nine States on the North American Continent and the Dis-
 18 trict of Columbia, unless otherwise expressly provided.

19 OTHER SUBJECTS

20 SEC. 49. The amendment by this Act of certain statutes
 21 by deleting therefrom specific references to Alaska or such
 22 phrases as "Territory of Alaska" shall not be construed to
 23 affect the applicability or inapplicability in or to Alaska of
 24 other statutes not so amended.

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SEPARABILITY

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SEC. 50. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

86TH CONGRESS
1ST Session

H. R. 7120

[Report No. 369]

A BILL

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

By Mr. ASPINALL

MAY 14, 1959

Referred to the Committee on Interior and Insular Affairs

MAY 19, 1959

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

May 25, 1959

15. ALASKA. H. R. 7120, to amend certain laws of the U. S. in light of the admission of Alaska into the Union, as reported by the Interior and Insular Affairs Committee May 19 (see Digest 80), includes the following provisions: Amends the Sugar Act of 1943 so as to make clear that Alaska shall be included in making determinations concerning sugar requirements in the continental U. S. Amends the Soil Bank Act so as to make clear that the conservation reserve applies to Alaska only if the Secretary of Agriculture determines that such application would be in the national interest. Amends the Soil Conservation and Domestic Allotment Act so as to exempt Alaska from the requirement that ASC county committees shall represent not more than one county or parts of different counties. Amends the act of March 3, 1891, relating to defenses in connection with civil and criminal timber trespass cases, to make clear that the permissible defenses are no longer available under statehood. Amends the Alaska Statehood Act so as to change from 90 legislative days to 90 calendar days the time for termination of Federal control of fish and wildlife resources of Alaska after the Secretary of the Interior certifies to Congress that the Alaska State Legislature has made adequate provision for the administration and management of these resources. Amends Sec. 4 of the Alaska Statehood Act to make clear that the terminology "the absolute jurisdiction and control of the United States" does not apply generally to land held by the U. S. in Alaska, but only to land and property held by natives or by the U.S. in trust for natives. Amends the Smith-Hughes vocational education law and the Vocational Education Act of 1946 so as to include Alaska in the definition of "States." Amends the act of September 30, 1950, relating to Federal assistance to schools in federally affected areas, with respect to the criteria for determining the contribution rate for a local education agency in Alaska. Amends the act of February 15, 1927, relating to the regulation of the importation of milk and cream into the "continental U. S.," so as to make the act applicable to Alaska. Authorizes, until June 30, 1964, the head of a Federal agency, who has transferred to the State of Alaska property or function pursuant to any law, to contract with Alaska for the continued performance by his agency of functions authorized to be performed by it in Alaska preceding such transfer. Authorizes the President, until July 1, 1964, to give to Alaska any property owned or held by the U. S. in Alaska and used in connection with functions performed by the Federal Government which have been taken over by the State. Authorizes the President to appoint a temporary three member commission to hear and settle any dispute between the Federal Government and Alaska concerning the transfer of Federal property to the State. Provides that the phrase "continental United States" as used in Federal laws enacted after the date of enactment of this bill, shall mean the 49 States and the District of Columbia.

16. LEGISLATIVE PROGRAM. Rep. McCormack announced that today, May 26, the House will continue consideration of H. R. 7343, the State-Justice appropriation bill, and will consider H. R. 7086, to extend the Renegotiation Act of 1951. p. 8125

SENATE

17. CENTENNIAL CELEBRATION. The Judiciary Committee voted to report (but did not actually report) H. R. 4012, to provide for the centennial celebration of the establishment of the land-grant colleges, State universities, and USDA. p. D392

18. ALASKA. The Interior and Insular Affairs Committee voted to report with amendments (but did not actually report) S. 1541, to amend certain laws in the light of the admission of Alaska into the Union. p. D391

19. D. C. APPROPRIATION BILL FOR 1960. The Senate committee report on this bill, H. R. 5676, contains the following statement:

"For the elementary school lunch program, the committee has approved the Commissioners' request of \$133,000 for the establishment of a pilot program to feed approximately 1,000 children in 11 elementary schools rather than \$266,000 proposed by the House for such program."

ITEMS IN APPENDIX

20. RURAL DEVELOPMENT. Rep. Bailey inserted an address by Under Secretary Morse before a national rural development group at Weston, W. Va., in which he stressed the goals of the program as more income for farm families, including off-farm and nonfarm income, greater education, and "development of agriculture's human resources," and urged the coordination of all groups and organizations to attain area development and the drafting of a development program to aid rural people obtain higher incomes, better farming situations, additional employment opportunities, expanded educational opportunities, better health facilities, more adequate religious activities, and financial management programs. pp. A4373-5
21. FARM PROGRAM. Rep. McDonough inserted the results of a 17th District California poll, one question of which concerns the farm program. p. A4354
Extension of remarks by Rep. McGovern stating that in a recent Gallup poll 96% of the population did not disapprove of price supports and criticizing the Farm Journal poll results. p. A4358
Rep. Arends inserted an editorial criticizing the House and Senate wheat bills as a "patch ... on (an) antiquated barn," and urging a "workable" program to discourage production for Government storage bins. p. A4368
Rep. Alger inserted his newsletter criticizing the present farm program and urging more freedom on farms. pp. A4381-2
Rep. Miller, Calif., inserted an article, "Agricultural Dependent on Oil May Lead to Famine." pp. A4382-3
22. FOREIGN AFFAIRS; EDUCATION. Extension of remarks by Rep. Bolton stating that one of the "needs of the newly independent countries lies in the area of improved public administration." pp. A4353-4
Extension of remarks by Rep. Bolton praising international educational exchange programs with Africa. p. A4348
23. RIVER DEVELOPMENT. Rep. McGovern inserted a resolution of the Missouri River States Committee urging Congress to implement authorizations for projects on the Missouri River. p. A4358
24. MEAT AND TOBACCO IMPORTS. Rep. Dorn inserted two items pointing out certain gains in meat and tobacco imports and criticizing the reciprocal trade program. pp. A4362, A4365
25. FARM STATE. Rep. Flood inserted an article, "Thiss (Penna.) is a Farm State to Tune of \$3 Billion." pp. A4362-3
26. INFLATION. Rep. Curtis inserted a speech by the President of the U. S. Chamber of Commerce warning against certain dangers of inflation. pp. A4371-3
27. CREDIT UNIONS. Rep. Wolf inserted his statement in support of H. R. 5777, to amend the Federal Credit Union Act. p. A4351

May 28, 1959

10. LEGISLATIVE PROGRAM. Sen. Johnson announced that the agricultural appropriation bill will be considered Mon., June 1. pp. 8325, 8429
11. ADJOURNED until Mon., June 1. p. 8443

HOUSE

12. COMMERCE APPROPRIATION BILL. Passed with amendments this bill, H. R. 7349. pp. 8293-8314
- An item of \$37,100,000 for forest highways was changed, on a point of order by Rep. Gross, to eliminate "to be derived from the 'Highway Trust fund'" on the ground that "there is no authorization for expenditure from the highway trust fund for the purposes proposed." (p. 8308-9)
- In the debate, Rep. Morris, Okla., stated that "from 1932 to 1952, the subsidies to the farmers *** amounted to \$1.2 billion" while during the same period Americans through tariff costs "gave the manufacturing interests in this country 40 times as much as the farmer" but stated he was not opposed to these tariff costs and urged reciprocity on the part of others "to give the farmers better subsidies" (pp. 8306-7). Rep. Andersen, Minn., stated that "small business and agriculture *** have not shared fully in our expansion" and gave as one reason for supporting parity that in his area "small business income is directly dependent upon the level of farm income" (p. 8310).
13. DEFENSE APPROPRIATION BILL. The Appropriations Committee reported without amendments this bill H. R. 7454 (H. Rept. 408). p. 8323
14. WATER POLLUTION. The Rules Committee reported a resolution for consideration of H. R. 3610, to amend the Federal Water Pollution Act to increase grants for construction of sewage treatment works and to establish the Office of Water Pollution Control. pp. 8292, 8323
15. ALASKA. The ^{Rules} Committee reported a resolution for consideration of H. R. 7120, to amend certain laws of the U. S. in light of the admission of Alaska into the Union. p. 8323
16. MINERALS AND MINING. Rep. Aspinall inserted a copy of his resolution, H. Con. Res. 177, expressing the sense of Congress on depressed domestic mining and mineral industries affecting public and other lands, and stated that a major cause of shutdowns in the industry has been "Government purchases, contracts, loans, grants, technical assistance, and barter transactions causing abnormal and artificial stimulation of foreign metal and mineral exploration and development," and urged Presidential action "toward reestablishing domestic mine and mineral production and employment." pp. 8314-5
17. EXECUTIVE LEGISLATIVE RELATIONS. Rep. Kowalski stated that "it is time" for Congress "to make decisions in its own way without interference from the executive branch" and expressed "growing uneasiness" toward "efforts of the executive department to encroach on the preserves of the legislative department." pp. 8318-9
18. LEGISLATIVE PROGRAM. Rep. Albert announced that the House would consider H. R. 7120, the Alaska omnibus bill, on Mon.; on Tues., H. R. 5140, extension of the Reorganization Act; and on Thurs., if a rule is granted, H. R. 7246, the wheat quota and price support bill. He stated that if no rule is granted on the wheat bill, H. R. 3610, the water pollution bill will be programmed Thurs., and on Fri., the Public Works appropriation bill will be considered. p. 8292
19. ADJOURNED until Monday, June 1. p. 8323

ITEMS IN APPENDIX

20. DEPRESSED AREAS. Extension of remarks of Rep. Flood inserting an article, "A Plea for Action on Area Redevelopment Legislation--Too Many Out of Work." pp. A4503-4
21. FARM PROGRAM. Sen. Humphrey inserted his address criticizing the administration's farm program. pp. A4505-8
Sen. Neuberger inserted an article, "The Farm Problem--Output Controls Stop Programs Working Well." pp. A4543-5
Rep. Flood inserted an article which states that farmers and ranchers are among the biggest customers of American industry, and listing some of the farm machinery items purchased by farmers. pp. A4558-9
Extension of remarks of Rep. Breeding inserting an article critical of the \$35,000 loan limit placed on farm commodities. p. A4565
22. ELECTRIFICATION. Sen. Langer inserted an editorial, "Not an Expense, an Investment," calling attention to the 24th anniversary of REA and discussing the value of its program. p. A4524
23. LIBRARY SERVICES. Extension of remarks of Sen. Morse inserting an article devoted to the story of library extension service in rural areas and containing an appraisal of the progress that has been made as a result of the Library Services Act of 1956. pp. A4534-5
24. CORN. Extension of remarks of Rep. Brock stating that "with the promise of a bumper corn crop in 1959 it looks like we are headed for real trouble this coming harvest time with a surplus of corn," and inserting an article on this subject. p. A4540
25. RYUKYU ISLANDS. Extension of remarks of Del. Burns discussing problems of these islands and stating that the U. S. has certain "specific responsibilities." pp. A4559-60
26. CONTRACTS; PURCHASING. Rep. Wolf inserted an article, "They Talk Competition, But Rigidly Fix Prices." pp. A4567-8

BILLS INTRODUCED

27. LANDS. S. 2061, by Sen. Moss (for himself and Sen. Murray), to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States; to Interior and Insular Affairs Committee.
S. 2064, by Sen. Curtis, to grant the right, title, and interest of the United States in and to certain lands to the city of Crawford, Nebr.; to Interior and Insular Affairs Committee.
28. FLOOD PREVENTION. S. 2060, by Sen. Bush, to provide uniform cost-sharing standards for non-Federal entities cooperating with the Federal Government in flood control or flood prevention projects; to Public Works Committee.
Remarks of author. pp. 8331-6
29. SECURITY. S. 2080, by Sen. Wiley, to establish a National Economic Council for Security and Progress to provide planning and to coordinate programs to meet the Communist challenge in the economic sphere; to Government Operations Committee. Remarks of author. pp. 8339-40

CONSIDERATION OF H.R. 7120

MAY 28, 1959.—Referred to the House Calendar and ordered to be printed

Mr. SMITH of Virginia, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 279]

The Committee on Rules, having had under consideration House Resolution 279, report the same to the House with the recommendation that the resolution do pass.



House Calendar No. 74

86TH CONGRESS
1ST SESSION

H. RES. 279

[Report No. 405]

IN THE HOUSE OF REPRESENTATIVES

MAY 28, 1959

Mr. SMITH of Virginia, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the State of the Union
4 for the consideration of the bill (H.R. 7120) to amend cer-
5 tain laws of the United States in light of the admission of
6 the State of Alaska into the Union, and for other purposes,
7 and all points of order against said bill are hereby waived.
8 After general debate, which shall be confined to the bill and
9 continue not to exceed one hour, to be equally divided and
10 controlled by the chairman and ranking minority member
11 of the Committee on Interior and Insular Affairs, the bill
12 shall be read for amendment under the five-minute rule. At

1 the conclusion of the consideration of the bill for amendment,
2 the Committee shall rise and report the bill to the House
3 with such amendments as may have been adopted and the
4 previous question shall be considered as ordered on the bill
5 and amendments thereto to final passage without intervening
6 motion except one motion to recommit.

RESOLUTION

Providing for the consideration of H.R. 7120,
a bill to amend certain laws of the United
States in the light of the admission of the
State of Alaska into the Union, and for
other purposes.

By Mr. SMITH of Virginia

MAY 28, 1959

Referred to the House Calendar and ordered to be
printed

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House of Representatives

H. RES. 279

100th Congress

RESOLUTION

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60th Congress

1907

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ALASKA OMNIBUS BILL

MAY 28, 1959.—Ordered to be printed

Mr. GRUENING, from the Committee on Interior and Insular Affairs,
submitted the following

R E P O R T

[To accompany S. 1541]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 1541) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

Committee action on the measure, which has bipartisan sponsorship, was unanimous.

PURPOSE OF THE BILL

S. 1541 is a measure made necessary by the change in the status of Alaska from a great Territory to a great State of the United States on an equal footing with each of the other States of our Union. For some 90 years prior to enactment in the 85th Congress of the Alaska Statehood Act, Alaska had been a dependent area, without voting representation in Congress. It was included in or omitted from Federal statutes and Federal programs in an at times inconsistent fashion.

By enactment of Public Law 508, the Admission Act, the 85th Congress did not attempt to deal with all of the changes in these Federal laws and programs that would be necessary because of Alaska's changed status, nor did it attempt to work out in detail the means of facilitating the orderly transfer of the myriad functions performed by the Federal Government under Territorial status to the new State government where they properly belong under our system. These purposes the present bill seeks to accomplish.

S. 1541 is an omnibus bill and was drafted by the Bureau of the Budget with the cooperation and assistance of all of the other branches of the Government at the direction of the President. The measure would (1) make Alaska eligible to participate in a number of Federal

grant-in-aid programs on a comparable basis with the other States; (2) terminate certain special Federal programs in Alaska; (3) authorize various measures required to facilitate an orderly transition, including property transfers and transitional grants; (4) clarify the applicability or inapplicability of certain laws to Alaska; and (5) eliminate inappropriate references to the "Territory of Alaska" in Federal statutes.

Public hearings were held by the full committee under the chairmanship of Senator Henry M. Jackson, of Washington. Senator Jackson had served as chairman of the hearings on the Alaska statehood bills, and because of his intimate knowledge of the facts was designated by the committee chairman, Senator Murray, of Montana, to act as chairman of the omnibus bill hearings as well. Spokesmen for the State were heard, as well as from Federal executive agencies. The amendments adopted by the committee have the acquiescence of all parties concerned.

MAJOR PROVISIONS

A detailed section-by-section analysis of S. 1541 as reported is set forth in this report, but the committee believes it would be helpful to explain and discuss here some of the bill's major provisions.

Grant-in-aid programs

Alaska already participates in the majority of Federal grant-in-aid programs on the same basis as other States. However, there are a number of Federal grant-in-aid programs where Alaska is still accorded, as it was when a Territory, treatment different from that of other States. As a full and equal member of the Union, Alaska should not receive more or less favorable treatment than other States under these programs. The bill, therefore, would amend pertinent laws providing Federal assistance for national defense education, vocational education, school construction and operation in federally affected areas, highway construction, vocational rehabilitation, water pollution control, hospital and medical facilities construction, old-age assistance, aid to dependent children, aid to the blind, aid to the permanently and totally disabled, and child welfare services to bring Alaska under the apportionment and matching formulas applicable to all other States as soon as possible. Since the fiscal year 1960 apportionments have already been made, Alaska would not participate in the Federal-aid highway program on an equal basis until fiscal year 1961.

Termination of special programs

Consistent with the policy of placing Federal relationships with the State of Alaska on the same basis as those with other States, the bill terminates certain special Federal programs in Alaska. These include special Federal grants to Alaska for general and mental health and the program for construction of recreation facilities. The amounts which Alaska would have received under these programs were taken into account in determining the amount of transitional grants authorized by section 44(a) of the bill. Provision is also made in the bill for the transfer to the State of Alaska of responsibility for the construction and maintenance of highways (sec. 21) and maintenance and operation of public airports (sec. 35). Transfer from a system of Federal courts to a State court is provided by section 18 of the State-

hood Act, and transfer of fish and game management functions is covered in section 6 of the Statehood Act.

Transitional measures

There has been almost a revolutionary change in governmental programs and responsibilities since the last new States prior to Alaska, Arizona, and New Mexico, were admitted into the Union 47 years ago. The United States in 1912 was only at the threshold of the era of the internal combustion engine. Automobiles were numbered in the thousands. Commercial aviation was unknown. The present concept of Federal grants-in-aid to States for construction of highways and airports, health services, education and welfare had not yet been developed. Consequently, Alaska presents many unprecedented and difficult problems not previously encountered when new States were admitted into the Union. However, as will be shown later in this report, special grants to new States upon admission to the Union to enable them to get their State governmental machinery in motion are by no means unprecedented. (See appendix.)

Transitional problems for the new State of Alaska are greatly complicated by the fact that Alaska had been totally excluded from the Federal highway program from 1916 to 1956 and since then has participated in that program only on a very much reduced basis. In addition, there was lack of early action in Alaska on aid to airports, with the result that the Federal Government built and operated Alaska's two major international airports. Alaska was denied its own judiciary by the Organic Act of 1912 so that the Federal Government administered and still administers justice in Alaska. The new State must now proceed to build its own judicial system. Therefore, the best interests of both the State of Alaska and the Federal Government will be served by transferring to the State in a prompt and orderly manner full responsibility for local government functions now performed by the Federal Government.

State finances

Since the Federal Government has insisted on retaining more than 99 percent of the land area of Alaska in the public domain and only in the Statehood Act has transfer to State ownership of some of the lands been initiated, it is recognized that some time necessarily will elapse before Alaska can either increase its revenues derived from existing sources or benefit fully from the revenues derived from public lands and other resources to be made available to the State by the Statehood Act. Without assistance, both in the form of funds and facilities and equipment, Alaska would be compelled to postpone for an indefinite period the assumption of some or all of the local government functions now performed by the Federal Government. In order to facilitate the assumption by the State of responsibilities hitherto performed by the Federal Government, section 44(a) authorizes the payment of transitional grants to the State in an amount of \$10.5 million for the fiscal year ending June 30, 1960; the sum of \$6 million for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$3 million for each of the fiscal years ending June 30, 1963, and June 30, 1964. The grants would be unearmarked and available as a general supplement to the State's financial resources.

Sections 21, 35, and 45 of the bill authorize the transfer of property and equipment to the State without monetary consideration where

the State assumes responsibility for a function which has been terminated or curtailed by the Federal Government. The provisions regarding property transfers follow the precedent established by the Statehood Act which also authorized transfers of property and equipment in connection with the transfer of Federal functions, such as conservation of fisheries and wildlife, to the State of Alaska. Furthermore, the highway equipment and properties to be transferred to the State were procured with funds made available to or contributed by Alaska under the Federal-aid highway program or transferred from the Alaska Roads Commission when Alaska was first brought under the Federal highway program. Title to such property was vested in the United States only because the Bureau of Public Roads performed most of the functions of a Territorial highway department. If Alaska had been treated as other States and Territories, title to these properties would have vested in Alaska from the very beginning.

Safeguards are provided by the bill to assure that there will be no interruption or impairment of services now provided by the Federal Government during the transitional period. Under subsections (b) and (c) of section 44, Alaska would be given the options of (1) receiving the entire transitional grant and administering the transferred programs directly or by contract with a Federal agency, or (2) requesting that a portion of the transitional grant be allocated by the President to finance continued Federal operations for an interim period.

Claims Commission

Section 46 of the bill authorizes the establishment of a temporary three-member Commission to adjudicate any disputes arising between the United States and the State of Alaska concerning property transfers under section 6(e) of the Statehood Act or pursuant to the provisions of S. 1541. The Commission would not have authority to make monetary settlements. The committee amended this section to provide for Senate confirmation of members of a Commission; to provide for removal of Commissioners for cause in order to clarify any questions which might arise concerning this in the light of certain court decisions holding that in the absence of specific authorization in law the President does not have this authority; to provide for continuity of functions of the Commission in the event of a vacancy; to prohibit the appointment of any Commission after June 30, 1965; and to delete language making determinations of the Commission final and conclusive for all purposes, notwithstanding any other law to the contrary.

Cost

The committee requested and was furnished by the Bureau of the Budget with a comparison between the costs which would be incurred by the United States if it continued the special Federal programs in Alaska which are being terminated and the amounts of transitional grants authorized by section 44 of the bill. The proposed amounts of transitional grants only slightly exceed what would have been the net Federal expenditures for the various special programs if Alaska had remained a Territory. The difference averages approximately \$700,000 a year over the 5-year transitional period. By facilitating the transfer of functions from the Federal Government to the State of Alaska, the transitional grants will, of course, make possible significant savings to the Federal Government and reductions in Federal personnel by the close of the transitional period.

The President's budget for fiscal year 1960 carries no requests for funds for the operation and maintenance of the Anchorage, Fairbanks, and Alaska intermediate airports; general health and mental health grants; and construction of recreation facilities. For this reason the early enactment of S. 1541 has become a matter of urgent importance, since no funds will be available to finance these essential public services, except through the transitional grants authorized by section 44 of the bill.

The Bureau of the Budget presentation is contained in the following table:

Federal expenditures if Alaska remained a territory

[Figures in thousands]

	1960	1961	1962	1963	1964
Anchorage and Fairbanks Airport capital improvements	\$4,500				
O. & M. costs (Anchorage and Fairbanks Airports)	845	\$845	\$845	\$845	\$845
O. & M. costs (intermediate airports)	593	593	593	593	593
Road maintenance costs	² 4,000	4,000	4,000		
Mental health grant	800	800	600	¹ 900	¹ 900
General health grant	638	638	638	638	638
Recreational program	100	100			
Subtotal	11,476	6,976	6,676	2,976	2,976
Less airport revenues	-1,215	-1,215	-1,215	-1,215	-1,215
Total	10,261	5,761	5,461	1,761	1,761
Actual proposed grant	10,500	6,000	6,000	3,000	3,000

¹ Represents a condensation of mental health grants authorized for 1963-67 which total \$1,800,000.

² Alaska will share in the Federal-aid highway program on regular basis, with no aid funds available for maintenance, beginning with the 1961 allotment. Since the 1961 allotment is actually made available to States beginning in 1960, Federal funds which would have been available for maintenance out of that allotment were included in computing the 1960 transitional grant.

Applicability of laws

The bill would clarify the applicability or inapplicability of certain Federal laws to Alaska. These include the Sugar Act, a portion of the Investment Company Act of 1940 not hitherto applicable to certain Alaska companies, the Federal Youth Corrections Act, certain provisions relating to parole, the act of June 8, 1940, for protection of bald eagles, a statute relating to the transportation of bodies of veterans who have died in Veterans' Administration facilities, and section 29 of the Federal Register Act relating to notice of hearings. The bill would also amend the Statehood Act to clarify Federal jurisdiction over public domain lands; provide for the termination of certain "Territorial laws" administered by Federal agencies; clarify the applicability to Alaska of the statute regarding the importation of milk and cream, the Buy American Act and the Defense Base Act.

Nonsubstantive changes in existing laws

Several provisions of the bill do not make substantive changes in existing law but either eliminate inappropriate references to Alaska as a Territory or make other language changes which are considered necessary and appropriate because of Alaska's changed status. Sections 7, 8, 9, 10, 11, 15, 16, 20, 25, 26, 27, 30, 33, 36, 37, 39, and 41 are technical and perfecting amendments.

While section 10 of the bill merely strikes unnecessary references to Alaska and the Territory of Alaska in provisions of the National Housing Act authorizing increased dollar limitations for Federal home

mortgage insurance in Alaska, questions were raised concerning the appropriateness of continuing provisions of law applicable to a single state. The committee recognizes that there should be sufficient flexibility in the administration of the housing program to take into account unusual conditions in Alaska where construction costs exceed those in other States by more than 100 percent. It is the view of this committee, however, that it would be preferable to provide the desired degree of flexibility through a general provision of law applicable to any State where high costs or other unusual conditions warrant special treatment, rather than by providing special treatment for the residents of a single State. Since the Alaska Omnibus Act is not the appropriate vehicle for accomplishing general amendments to the housing laws, the committee has instructed the Housing and Home Finance Agency to study the problem and to submit its recommendations to the Congress as a separate legislative proposal.

COMMITTEE AMENDMENTS

The greater part of the committee amendments to S. 1541 are perfecting or clarifying. Some few are substantive. The committee believes that explanation would be helpful in the following matters.

Administration of fisheries

Section 2 of the bill has been amended by adding new subsection (b) which amends section 6(e) of the Alaska Statehood Act by striking out the word "legislative" and inserting in lieu thereof the word "calendar."

Section 6(e) of the Alaska Statehood Act (72 Stat. 339, 340) provided—

That the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of ninety legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest.

The committee amendment would change the 90 legislative days provision to 90 calendar days. The Secretary's certification was received by the Speaker of the House and the President of the Senate on April 28, 1959. In view of the uncertainty that exists with respect to the computation of 90 legislative days, the possibility that the 1st session of the 86th Congress may end before 90 such days, however computed, have expired and that this would prevent a transfer from taking effect until January 1, 1961, at the earliest, and the belief of the committee that 90 calendar days (which will almost certainly elapse before the end of the current session) will be enough to allow examination of the adequacy of the Alaska Legislature's work, the committee recommends enactment of section 2(b). This amendment of the basic act will not require a recertification by the Secretary.

Criminal Code

Section 17 of the bill has been amended by adding a new subsection (d) amending title 18 of the United States Code, section 1385, by

deleting the last sentence thereof. At the present time no part of the U.S. Army or the Air Force may be used as a posse comitatus or otherwise to execute laws, except in Alaska. The amendment would eliminate the exception for Alaska.

Courts

Section 23 of the bill as introduced would have provided for annual sessions of the Ninth Circuit Court of Appeals in Anchorage, Alaska. This provision was written into the measure because it was felt that Alaska's historic "remoteness," both physical and psychological, from the west coast cities in which the court now sits may have prevented some litigants from exercising fully their rights of appeal. Therefore, it was deemed desirable to bring the court to the people, rather than to continue to require the people to come to the court, some 1,500 or more miles distant.

However, the presiding judge of the ninth circuit, the Honorable Walter L. Pope, expressed vigorous objection to the committee chairman, Senator Murray. The judge pointed out that the Judicial Council of the Ninth Circuit had not been consulted on the question; that an analysis of the cases decided by the court since 1951 showed that an average of no more than 3½ Alaska cases a year would have reached the appellate court had Alaska been a State; and that the court was not required, by statute, to go to Montana, for example, with some three times the population of Alaska.

In view of the conflicting views, the committee decided to direct the Judicial Conference to make a study and report its recommendations to the Congress.

Under present law the court is authorized to sit anywhere in its circuit, including Anchorage, whenever the court itself decides that the pressure of business requires it or the ends of justice will be served thereby.

Another amendment to section 23 concerns court funds. The words "and approved by the Administrative Office of the U.S. Courts" have been added. The purpose of the amendment is to assure adequate control over the expenditure of funds derived from courts fees and fines by the district courts for the Territory of Alaska. Any outstanding balances in the court funds are to be turned over to the State of Alaska when the Federal District Court for Alaska is established.

Defense Base Act and War Hazards Compensation Act

The bill has been amended by adding a new section 40 (Defense Base Act) and section 42 (War Hazards Compensation Act). These amendments resolve certain liability questions arising from Alaska's statehood and provide that employees of private employers working in defense base areas in Alaska shall be subject, as in other States, to the provisions of the State workmen's compensation laws.

Technical amendments

The bill has been amended by adding new section 41 (timber removal) and 43 (Buy American Act). These amendments delete inappropriate references to Alaska in existing laws.

Transfers of property

Section 45 has been amended to provide for transfer of Federal property to the State upon curtailment as well as upon termination of

Federal activities. This amendment is made in order to authorize such transfers when a function has not been finally completed, but property utilized is no longer required by the Federal agency.

Claims Commission

The committee amendments to section 46 (Claims Commission) have been discussed in the part of the report dealing with transitional measures.

Other subjects

The bill has been amended by adding new section 49 providing that the amendments of certain statutes by deleting therefrom specific references to Alaska or the Territory of Alaska shall not be construed to affect the applicability or inapplicability to Alaska of other statutes not so amended. The purpose of the amendment is to avoid any inference, from the inclusion of amendments to certain statutes and the possible omission of others, that it is the Congress' intent that the latter shall cease to be applicable in or to Alaska.

MATTERS ESPECIALLY CONSIDERED

The committee has included provisions in this bill placing the State of Alaska under the Federal-aid highway program on the same basis as all other States. It has done so with the full realization, however, that with respect to highways Alaska has been inequitably treated in the past and would have entered upon statehood with a highway system much more advanced if it had been treated with respect to Federal highway aid on the same terms as the other States and Territories. As has been pointed out, Alaska did not participate at all in the Federal-aid highway program until 1956 and from then on only on a limited basis.

The committee, therefore, feels that the the Congress still has a responsibility and a duty to examine this situation in the near future more closely in order to provide for equitable and equal treatment for the new State.

It is hoped that the appropriate committees of the Congress will, therefore, study fully this problem and recommend at the earliest possible moment the steps needed to assure Alaska's participation in the highway program on the basis of full equality, taking into consideration its limited past participation.

As to the Claims Commission, the hope was expressed in the committee that it would never be necessary to establish and use such a Commission. However, if it is necessary to set up such a body, it is the clear intention of this legislation that there will be prompt filing and prompt adjudication of all matters brought before the Commission so that it will terminate its functions as soon as possible after January 1, 1965. In sum, the Commission authorized is not to be a permanent, continuing body.

SECTIONAL ANALYSIS

SHORT TITLE

Section 1 provides that the act may be cited as the Alaska Omnibus Act.

FEDERAL JURISDICTION

Section 2, in subsection (a), would amend section 4 of the Statehood Act. Section 4 now provides, in pertinent part, that Alaska and its people disclaim any right (a) to any lands in Alaska the right or title to which is now held by the United States, except for land granted to Alaska by the Statehood Act, and (b) to land and property held by Alaska natives or held in trust by the United States for such natives. The section further provides that "all such lands * * * shall be and remain under the absolute jurisdiction and control of the United States." It was intended that such absolute jurisdiction would apply to native lands only ((b) above), but the language actually enacted might be interpreted as comprehending the lands described in both (a) and (b). The amendment would make clear that "the absolute jurisdiction and control of the United States" does not apply generally to land held by the United States in Alaska, but only to land and property held by natives or by the United States in trust for natives.

Subsection (b) of section 2 would amend section 6(e) of the Statehood Act. Section 6(e), in pertinent part, now provides that the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of 90 legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest. Because the meaning of the term "legislative days" is not clear and has been subject to a variety of interpretations, the proposed amendment would substitute for the word "legislative" the word "calendar." Thus, the administration and management of those resources would definitely be retained by the Federal Government only until January 1, 1960, since the Secretary of the Interior already made the necessary certification to Congress on April 27, 1959.

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

Section 3 provides a date on which certain laws enacted by the Congress, relating to the regulation of commerce within Alaska, shall cease to apply to the State of Alaska. Section 8(d) of the Statehood Act provides that a law "enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Alaska prior to the admission of the State of Alaska into the Union" shall be regarded as a "Territorial law" and that such a law shall continue in force and effect throughout the State except as modified or changed by action of the State legislature. The foregoing language has been interpreted by the executive branch of the Federal Government as continuing in effect in the State of Alaska those portions of U.S. laws which provide for the regulation

of intraterritorial commerce by agencies of the United States. In the language of section 8(d), such laws will continue in effect "except * * * as modified or changed by the legislature of the State." In order to make explicit the date such laws of the United States shall cease to be applicable, this section of the bill provides that, either (a) on July 1, 1961, or, if it occurs earlier, (b) on the effective date of any State law relating to the same subject matter as the pertinent law of the United States, such law of the United States shall cease to apply. In the absence of an explicit date, considerable confusion might arise as to the continued responsibility of a Federal agency. The section makes clear that such Federal responsibility will cease whenever the State takes legislative action in a field formerly regulated by the United States.

SUGAR ACT

Section 4 amends the Sugar Act by providing a definition of the term "continental United States." In the absence of such a definition, the term has been administratively construed to exclude the Territory of Alaska. The new subsection would make clear that it includes the 49 States and the District of Columbia. As a result, the determinations by the Secretary of Agriculture concerning sugar requirements in the continental United States will henceforth include the requirements of Alaska. Thus, sugar either imported or marketed for shipment into Alaska will be charged against a quota.

SOIL BANK ACT

Section 5 would perpetuate in the State of Alaska the treatment accorded to the Territory of Alaska under the conservation reserve program of the Soil Bank Act. The act has no practical application to Alaska at this time and the soil bank program is not now being administered. This condition is likely to continue for the foreseeable future. Consequently, the amended provision concerning the geographical application of the program would make clear that the conservation reserve program of the Soil Bank Act applies to Alaska only if the Secretary of Agriculture determines that such application would be in the national interest.

ARMED FORCES

Section 6 would provide in subsection (a) a perfecting amendment to title 10 of the United States Code by amending the definition of the term "Territory" to delete the existing reference to Alaska. Subsection (b) would amend two definitions in article 2 of the Uniform Code of Military Justice which describe persons subject to the code. Under the definitions in existing law, "persons serving with, employed by, or accompanying the armed forces" and "persons within an area leased by or otherwise reserved or acquired for the use of the United States" are subject to the code if they are outside that part of Alaska east of longitude 172° west, the Canal Zone, Hawaii, Puerto Rico, the Virgin Islands, and Guam. The amendments in subsection (b) would have the effect of according the same treatment to such persons in Alaska west of the 172d meridian as is already accorded to those east of it. Subsection (c) strikes the special and now unnecessary reference to Alaska in a section which comprehends all of the States.

NATIONAL BANK ACT

Section 7 relates to the reserve balances required of national banks that are not members of the Federal Reserve System and that are located in Alaska or outside the continental United States. Because section 19 of the Alaska Statehood Act requires that all national banks in Alaska be members of the Federal Reserve System, section 5192 of the Revised Statutes no longer has application to Alaska, and this section of the proposed bill would thus eliminate the reference to it.

FEDERAL RESERVE ACT

Section 8 provides two perfecting amendments to the Federal Reserve Act, to reflect Alaska's inclusion in the Federal Reserve System pursuant to section 19 of the Statehood Act.

HOME LOAN BANK BOARD

Section 9 would provide perfecting amendments to two statutes administered by the Federal Home Loan Bank Board. The Federal Home Loan Bank Act and the Home Owners' Loan Act of 1933 would each be amended by striking references to Alaska as a Territory.

NATIONAL HOUSING ACT

Section 10 provides amendments to the National Housing Act to substitute references to Alaska as a State for those to the Territory of Alaska in provisions relating to mortgage insurance.

COAST GUARD

Section 11 would amend the provision of law authorizing the appointment of commissioned officers of the Coast Guard as U.S. commissioners or U.S. deputy marshals in Alaska. The amendment is perfecting only and removes references to "the Territory of" Alaska.

SECURITIES AND EXCHANGE COMMISSION

Section 12 provides amendments to certain statutes administered by the Securities and Exchange Commission. Those contained in subsections (a) through (d) are perfecting only, merely removing unnecessary references to Alaska in definitions of the term "State." Subsection (e) would amend a section of the Investment Company Act of 1940 which provides an exemption from the provisions of the act to companies organized under the laws of the Territories and possessions which confine offerings of their securities to residents of such Territories or possessions. The effect of the amendment would be to remove Alaska from the areas (all of which are Territories and possessions) to which the special exemption applies, and to accord to it the same treatment as the other States receive.

SOIL CONSERVATION

Section 13 would amend two provisions of the Soil Conservation and Domestic Allotment Act. Section 8(b) of that act requires that, in the administration of the law "in the continental United States,"

the Secretary of Agriculture must use county committees, and that no committee may represent more than one county or parts of different counties. Heretofore the term "continental United States" has been administratively construed to exclude Alaska, with the result that, in Alaska, three committees only are now in operation, each serving an area which includes more than one county or parts of different counties. With statehood, Alaska may now be regarded as within the continental United States. If so, adherence to section 8(b) would require the establishment of far more committees in Alaska than would be suitable for Alaska's relatively small program. Therefore, subsection (a) of this section of the bill would remove the requirement with respect to the areas represented by committees in the case of Alaska. Subsection (b) is a perfecting amendment, designed only to reflect Alaska's new status.

BALD EAGLES

Section 14 amends the statute providing protection to bald eagles. Existing law protects the bald eagle "within the United States or any place subject to the jurisdiction thereof, except the Territory of Alaska. This amendment would provide for the application of this law in Alaska on the same basis as it is now administered in the other States.

WILDLIFE RESTORATION

Section 15 would amend the statute providing grants to the States and Territories for wildlife restoration in order to remove references to the Territory of Alaska from the section relating to grants to the Territories. The amendments are perfecting only, since Alaska will necessarily be accorded the treatment of a State as a result of the Statehood Act.

FISH RESTORATION

Section 16 would amend the statute providing grants to the States and Territories for fish restoration in order to remove references to the Territory of Alaska from the section relating to grants to the Territories. The amendments are perfecting only, since Alaska will necessarily be accorded the treatment of a State as a result of the Statehood Act.

CRIMINAL CODE

Section 17, in subsections (a) and (b), provides amendments to the Federal Youth Corrections Act and to a 1958 statute relating to parole, which, under the terms of existing law, apply "in the continental United States other than Alaska." When the U.S. District Court for the District of Alaska is established, pursuant to the Statehood Act, such laws should apply to the State. Subsection (c) provides that the application of the laws in question to Alaska will commence on that date.

Subsection (d) of section 17 amends a section of the Criminal Code relating to the use of any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws. Such action, except where authorized by the Constitution or an act of Congress, is made subject to a fine of not more than \$10,000 and/or not more than 2 years im-

prisonment. The section does not now apply to Alaska. The proposed amendment would eliminate the exception for Alaska.

EDUCATION

Section 18 provides certain amendments to the laws relating to education.

Subsection (a), relating to the National Defense Education Act of 1958, amends section 103(a), section 302(a)(3), and section 1008 of the act (20 U.S.C.A. 403(a), 442(a)(3)(B), and 588), so as to eliminate the special treatment of Alaska. The amendment to section 302(a)(3) would eliminate the exclusion of Alaska from the continental United States for purposes of determining the allocation of funds to States for acquisition of mathematics, science, or modern foreign language equipment. The amendments to sections 103(a) and 1008 would put Alaska on the same basis as the other States for purposes of allocations of funds for the acquisition of such equipment, allocations of funds for State programs of expansion or improvement of public school supervisory services in mathematics, science, or modern foreign language, and allocations of funds for counseling and guidance and testing programs.

Under section 47, these amendments would be effective in the case of allotments for acquisition of equipment based on allotment ratios which are promulgated after per capita income data for Alaska for a full year are available from the Department of Commerce. They would be effective in the case of allotments for State programs of expansion or improvement of supervisory services, or for counseling and guidance and testing programs, for fiscal years beginning July 1, 1959.

Subsection (b), in paragraph (1), relating to vocational education, amends section 4 of the Smith-Hughes vocational education law. This section provides for allotments to the States for teacher-training in agriculture, trades and industries, and home economics, and includes an authorization of separate appropriations for the \$10,000 minimum allotment provided for the States for this purpose. The \$90,000 authorized for the latter purpose would be insufficient to provide the minimum for Alaska as well as the other States, and hence it would be increased by the bill to \$98,500.

In order to qualify for funds allocated under this law for vocational education in the field of agriculture, trades and industries, or home economics, a State must "have taken advantage of" an amount at least equal to the minimum allotment for teacher-training in that field. In addition, the law requires at least 20 percent of a State's allotment for teacher training to be expended in each of the three fields and places a limitation of 60 percent of the teacher-training allotment on the amount which may be expended in any one of the three fields. These requirements and limitations would be made inapplicable to Alaska until the third fiscal year which begins after the enactment of the bill. Similar treatment was accorded the other States when the law was first enacted at which time they were given a 3-year grace period during which these provisions were not applicable.

Subsection (b), in paragraphs (2) and (3), also amends the Vocational Education Act of 1946 to eliminate from the definitions of "State" and "States and Territories," the specific mention of Alaska. These are purely technical amendments.

Subsection (c), relating to school construction assistance in federally affected areas, amends paragraph (13) of section 15 of Public Law 815 (81st Cong.), as amended (20 U.S.C.A. 645(13)), which defines the term "State." The amendment would eliminate the specific reference to Alaska. This is a purely technical amendment.

Subsection (d), relating to school operation assistance in federally affected areas, amends section 3(d) of Public Law 874 (81st Cong.), as amended (20 U.S.C.A. 238(d)). This section of the law sets forth the method of determining the local contribution rate used in computing the amount of the payments to local school districts on account of federally connected children attending their schools. The determination of the rate for the Territories, including Alaska, is, however, separately provided for, with the Commissioner of Education authorized to make the determination consistent with the policies and principles provided for the determination of the rate in the case of school districts in other States.

The amendments to this section of the law would eliminate the specific mention of Alaska as one of the "States" to whom the specific provision applies, but would make the special provision applicable to any State in which a substantial portion of the land is in unorganized territory for which a State agency is the local educational agency.

This would include Alaska at the present time and probably for the next 15 or 20 years. It might conceivably include also other States, although this is not likely. Consequently, the amendments will not have any practical effect upon Alaska in the foreseeable future. These amendments would also specifically include Alaska in the continental United States for purposes of determining the average per pupil expenditure therein, which is used, in turn, in determining the minimum local contribution rate.

These amendments would, under section 47, be applicable beginning with the next fiscal year.

Subsection (d)(4) of section 18 of the bill also amends paragraph (8) of section 9 of Public Law 874 which defines the term "State." The amendment would eliminate the specific reference to Alaska. This is a purely technical amendment.

IMPORTATION OF MILK AND CREAM

Section 19 would make clear that the act of February 15, 1927, which regulates the importation of milk and cream into the "continental United States," applies to Alaska.

OPIUM POPPY CONTROL

Section 20 would provide a perfecting amendment to the Opium Poppy Control Act of 1942. It would strike a now superfluous reference to the Territory of Alaska.

HIGHWAYS

Section 21 would provide for the assumption by the State of Alaska of the functions now performed by the other States in connection with the construction and maintenance of roads. It would direct the Secretary of Commerce to transfer to Alaska without compensation, but subject to conditions which he may deem desirable, all of

the real and personal property now held by the Bureau of Public Roads in connection with its current responsibilities in Alaska, except for such property as the Bureau will require in continuing to perform in Alaska, as elsewhere in the States, its usual Federal functions and functions for which the State may contract under section 44(c), and except for lands which must be retained for purposes other than or in addition to road purposes. It is intended that the date of transfer be July 1, 1959, if practicable, or as soon thereafter as would be practicable. Henceforth Alaska will be responsible for road maintenance, as it has not been in the past. However, Alaska would be able to utilize Federal-aid funds apportioned for the fiscal year ending June 30, 1960, and prior years, and unobligated on the date of passage of this act, for maintenance during fiscal years 1960, 1961, and 1962. To assist it in road construction, the section further provides for the extension to Alaska of the laws relating to Federal aid for highways on the same terms as are applicable to the other States. Citations within the section are keyed to Public Law 85-767, approved August 27, 1958.

INTERNAL REVENUE

Section 22 contains amendments to the Internal Revenue Code of 1954. All, except for that contained in subsection (b), are perfecting in nature, merely removing references to Alaska which are now superfluous. Subsection (b) relates to the definition of the phrase "continental United States" for purposes of the transportation tax. The explicit terms of existing law (i.e., the "continental United States" means "the existing 48 States and the District of Columbia"), excluded the Territory of Alaska, with the result that a partial exemption from the tax was permitted for trips between the Territory of Alaska and the States. The effect of the amendment contained in subsection (b) will be to accord to Alaska, as a State, the same treatment it received as a Territory, and thus to preserve a distinction between Alaska and the other States. The Treasury Department has concluded that it would be contrary to the intent of the Congress, as expressed in 1956, to remove this partial exemption. The exemption was inserted in the law in 1956 in recognition of the fact that Alaska (and Hawaii) were far removed from the States and that transportation between the States and those two Territories involved travel over the high seas and/or a foreign country. When the exemption amendment was considered in the Senate, the possible effect of future statehood was discussed in a memorandum submitted by Senator Morse (Congressional Record, Mar. 29, 1956, p. 5831). His statement asserted that statehood should not change the exemption. On this basis, the Treasury Department considers that the partial exemption continues, notwithstanding Alaska's admission to the Union. Enactment of subsection (b) would confirm that conclusion.

COURTS

Section 23, in subsection (a), directs a study by the Judicial Conference on the question of mandatory annual sessions of the Ninth Circuit Court of Appeals in Anchorage, Alaska. That court is now by law required to hold sessions each year in San Francisco, Los Angeles, Portland, and Seattle. Subsection (b) amends the Judicial

Code to provide that the Federal District Court for the District of Alaska shall be held in Ketchikan. Subsection (c) would perpetuate the authority of the Attorney General to fix fees and allowances for witnesses in connection with the Federal court in Alaska. Current fees and allowances, established pursuant to 48 U.S.C. 25, are set forth at 28 CFR 21.3. Fees and allowances for witnesses in Federal courts, excluding Alaska, are set forth at 28 U.S.C. 1821. Under the provision of subsection (c) of this section of the bill, Alaska would continue to be excluded from section 1821 of title 28. Subsection (d), in effect, provides for the transfer to the State of moneys, derived from court fees and fines, held by the clerks of the District Court of the Territory, and would, in the interim, provide that payments of court expenses out of such moneys be subject to approval by the Administrative Office of the U.S. Courts.

VOCATIONAL REHABILITATION ACT

Section 24 relates to vocational rehabilitation.

Subsection (a) amends section 11(g) of the Vocational Rehabilitation Act. This section of the act defines the term "State." The amendment would eliminate the specific reference to Alaska and is a technical amendment.

Subsection (b) amends subsections (h) and (i) of section 11 of the Vocational Rehabilitation Act. These subsections define the terms "allotment percentage" and "Federal share." The amendments would eliminate the special provisions under which the allotment percentage for Alaska is set at 75 percent and the Federal share at 60 percent, and would provide for the determination of these to be made in accordance with the relative per capita income of Alaska, as is done in the case of other States. The amendments would also eliminate the exclusion of Alaska from the continental United States for purposes of determining the allotment percentages and Federal shares for the States. Under section 47 of this bill, the above amendments would be applicable to allotment percentages and Federal shares promulgated after there are available per capita income data for Alaska for a full year from the Department of Commerce, and following a short transition period.

GOLD RESERVE ACT

Section 25 would remove a now obsolete reference to the Territory of Alaska contained in the Gold Reserve Act of 1934.

SILVER PURCHASE ACT

Section 26 would remove a now obsolete reference to the Territory of Alaska contained in the Silver Purchase Act of 1934.

NATIONAL GUARD

Section 27 would provide a perfecting amendment to the definition of "Territory" for purposes of title 32 of the United States Code, relating to the National Guard.

WATER POLLUTION CONTROL ACT

Section 28 provides certain amendments to the Water Pollution Control Act.

Subsection (a) of this section amends section 5(h)(1) of the Federal Water Pollution Control Act. This section defines the term "Federal share" which is used for determining the portion of the cost of the water pollution control program in each State which will be borne by the Federal Government. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definition, no longer be excluded from the continental United States and would have its Federal share determined, as in the case of the other States, on the basis of its relative per capita income.

Under section 47, these amendments would be effective for promulgations of the Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (b) of this section of the bill amends section 11(d) of the Federal Water Pollution Control Act, which defines "State," to eliminate the special mention of Alaska. This is a purely technical amendment.

VETERANS' ADMINISTRATION

Section 29(a) relates to the authority of the Veterans' Administration under section 903(b) of title 38 (Public Law 85-857), to transport the bodies of veterans who have died in VA facilities. Existing law provides that (a) when a death occurs in the continental United States, transportation may be provided "to the place of burial in the United States"; (b) when a death occurs in the continental United States, transportation may be provided to the place of burial within Alaska if the deceased was an Alaska resident and if he had been brought to the United States for VA hospital care; and (c) when a death occurs in a Territory, Commonwealth, or possession, transportation may be provided to the place of burial within such Territory, Commonwealth, or possession. Under existing law therefore, no explicit provision is included for the transportation of deceased veterans from Alaska to the other States, although the statute might reasonably be construed, as a consequence of Alaska's admission, to permit this result. Similarly, there is no explicit provision for the transportation of deceased veterans from the other States to Alaska, in the absence of a finding that the deceased was an Alaska resident brought to another State for care. Section 29(a) of the proposed bill would make both of these results certain, and in so doing would remove the statutory distinctions between Alaska and the other States.

Subsection (b) is a perfecting amendment only.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

Section 30 provides two perfecting amendments to the Federal Property and Administrative Services Act. The first would make clear that the term "continental United States" includes Alaska, and the second would remove an unnecessary reference to Alaska in the definition of the term "State."

PUBLIC HEALTH SERVICE ACT

Section 31 provides certain amendments to the Public Health Service Act.

Subsection (a) amends section 2(f) of the Public Health Service Act which defines the term "State" for purposes of the act. This is a purely technical amendment eliminating the specific inclusion of Alaska as a State.

Subsection (b) would repeal section 371 of the Public Health Service Act relating to the Alaska mental health program. Section 371 authorizes grants totaling \$4 million for the fiscal years 1960 through 1967 for the administration of Alaska's mental health program. The subsection also amends section 372 of such act, relating to the grant already made for the construction of a hospital and related facilities for the care of the mentally ill. The amendments to section 372 eliminate references to Alaska as a Territory.

Subsection (c), relating to hospital and medical facilities construction, amends section 631(a) of the Public Health Service Act. This section describes the method of determining allotment percentages which are used in the allocation of the appropriations for hospital and medical facilities construction under title VI of the Public Health Service Act. They are also used in connection with determining the Federal share of the cost of construction. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of determining the allotment percentages, no longer be excluded from the continental United States and would have its percentage based, as in the case of the other States, on its relative per capita income. Its Federal share would also be determined in the manner provided for the other States.

Under section 47, these amendments would be applicable in the case of promulgations of allotment percentages and Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (c) also amends section 631(d) of the Public Health Service Act, which defines the term "State," to eliminate the specific reference to Alaska. This is a technical amendment.

SOCIAL SECURITY ACT

Section 32 provides certain amendments to the Social Security Act.

Subsection (a), relating to public assistance, amends section 1101(a)(8) of the Social Security Act (20 U.S.C.A. 1301(A)(8)). This section defines the term "Federal percentage" which is used in determining the portion of the expenditures in each State for old-age assistance, aid to dependent children, aid to the blind, or aid to the permanently and totally disabled which will be borne by the Federal Government. The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definition, no longer be excluded from the continental United States and would have the determination of its Federal percentage made, as in the case of the other States, on the basis of its relative per capita income.

These amendments to section 1101(a)(8) of the Social Security Act would, under section 47 of the bill, be effective for promulgations of the Federal percentages made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (b), relating to child welfare services, amends section 524 of the Social Security Act (42 U.S.C.A. 724). This section defines the terms "allotment percentage" and "Federal share" for purposes of determining the allocation of the appropriations for child welfare services under part 3 of title V of the Social Security Act among the States and the portion of the expenditures for this purpose in each State which will be borne by the Federal Government.

The amendments would eliminate the special treatment for Alaska so that Alaska would, for purposes of the definitions, no longer be excluded from the continental United States and would have the determinations of its allotment percentage and its Federal share made, as in the case of the other States, on the basis of its relative per capita income.

The amendments made by this subsection of the bill would, under section 47 of the bill, be effective for promulgations of allotment percentages and Federal shares made after per capita income data for Alaska for a full year are available from the Department of Commerce.

Subsection (c), relating to old-age, survivors, and disability insurance, amends the last sentence of section 202(i) of the Social Security Act. This section of the act provides for lump-sum payments in certain cases of death of an individual insured under the old-age, survivors, and disability insurance program. The application for such payments must be filed within 2 years of the date of death, except that, in the case of the death outside the 48 States and the District of Columbia of a member of the Armed Forces (including commissioned officers of the Public Health Service and the Coast and Geodetic Survey) who is "returned" to any of the 48 States, the District, or any United States Territory or possession for interment or reinterment, the 2-year period begins with such interment or reinterment. This special treatment would no longer be provided in the case of deaths in Alaska. It should be noted that the 2 years may be extended for as much as an additional 2 years if good cause for the failure to file within the initial 2-year period is shown.

The subsection (c)(1) amendment would, under section 47 of the bill, be effective in the case of deaths occurring on or after January 3, 1959.

Subsection (c) of the bill also amends subsections (h) and (i) of section 210 of the Social Security Act which define "State" and "United States" for purposes of the old-age, survivors, and disability insurance program. These are purely technical amendments, eliminating the specific inclusion of Alaska as a State, since this inclusion became automatic upon Alaska's admission to the Union.

Subsection (d) amends paragraphs (1) and (2) of section 1101(a) of the Social Security Act which define "State" and "United States" for purposes of the act. These are technical amendments.

CONGRESSIONAL RECORD

Section 33 amends the law relating to the gratuitous distribution of copies of the Congressional Record. Existing law provides that the Governors of the States shall receive one copy in both daily and bound form, while the Governors of the Territories receive five in both daily and bound form. The amendment would strike the reference to Alaska in the latter provision so that the Governor of the new State

would be accorded the treatment of a State Governor rather than a Territorial Governor.

FEDERAL REGISTER

Section 34 amends the Federal Register Act so that henceforth publication in the Federal Register of notice of hearing will be regarded as notice to persons residing in Alaska, as well as elsewhere in the mainland United States. Under circumstances described in the statute, such publication is, under existing law, adequate with respect to residents of the continental United States excluding Alaska. The amendment would extend the provision to Alaska as well.

AIRPORTS

Section 35(a) would authorize and direct the Administrator of the Federal Aviation Agency to convey to the State of Alaska, without reimbursement, the airports at Anchorage and Fairbanks which were constructed and have been operated and maintained by the United States under the act of May 28, 1948. Subsection (b) would permit completion of certain FAA contracts following such conveyance.

SELECTIVE SERVICE

Section 36 would remove an unnecessary reference to Alaska in the section of the Universal Military Training and Service Act which defines the term "United States." The amendment is perfecting only.

REAL PROPERTY TRANSACTIONS

Section 37 amends the statute which requires the Director of the Office of Civil and Defense Mobilization to come into agreement with the Armed Services Committees of the Congress with respect to certain real property transactions. The amendment would merely remove a superfluous reference to Alaska.

RECREATION FACILITIES

Section 38 relates to the statute which authorizes the Secretary of the Interior to construct public recreation facilities in Alaska. As enacted in 1956, the law authorizes the appropriation of \$100,000 each year for the 5 fiscal years ending June 30, 1961, for the construction and maintenance of such facilities, and provides for their transfer to Alaskan agencies or communities. The effect of the provision contained in section 38 is to terminate the existing authorization for appropriations and to substitute for it an authorization of funds for 1 fiscal year only. Such funds could be expended only for the completion of projects begun prior to June 30, 1959, but not completed by that date, and for the maintenance of facilities constructed under the act pending their transfer to Alaska.

AIRCRAFT LOAN GUARANTEES

Section 39 would provide a perfecting amendment to the 1957 statute (set out as a note following 49 U.S.C., sup. V, sec. 425) which authorizes loans for the purchase of aircraft and equipment.

DEFENSE BASE ACT

Section 40, which amends the Defense Base Act, and section 42, which amends the War Hazards Compensation Act, resolve certain liability questions arising from Alaska's statehood and provide for the elimination of certain special workmen's compensation liabilities which do not exist in other States. The Defense Base Act provides workmen's compensation protection to employees of private employers working outside the continental United States in defense base areas and to employees of Federal contractors employed outside the continental United States upon public works in the Territories and Alaska and foreign countries. The War Hazards Act provides benefits related to war hazards, to be paid by the Federal Government, primarily for employees covered by the Defense Base Act.

On January 14, 1959, the Alaska Industrial Board announced that it would apply the Alaska Workmen's Compensation Act in the Federal domain in Alaska, effective January 3, 1959, the date of statehood, under the act of June 25, 1936 (49 Stat. 1938), permitting such State action. A potential workmen's compensation liability exists, therefore, respecting employers of workers on Federal property in Alaska under both the Defense Base Act and the Alaska Workmen's Compensation Act.

The purpose of the sections 40 and 42 is to preclude such dual liability by deleting reference to Alaska from the Defense Base Act and the War Hazards Act and adding a definition of "continental United States" to the acts to make it clear that Alaska comes within this term. Subsection (b) of section 42 would further amend the provisions of section 104 of the War Hazards Compensation Act relating to reimbursement by the Federal Government of payments made under contracts by reasons of war hazards, to make it clear that these provisions would no longer apply within Alaska. Since the Canal Zone does not fall within the proposed definition of "continental United States," it is unnecessary to refer to it for Defense Base Act and War Risk Compensation Act coverage and it is accordingly deleted from these acts by the pertinent subsections 40(b) and 42(a).

Subsection (g) of section 47 makes it clear that injuries occurring in employments subject to the Defense Base Act in Alaska after January 3, 1959, and until the effective date of amendments provided by the first two draft sections may be adjudicated under the Workmen's Compensation Act of Alaska.

TIMBER REMOVAL

Section 41 amends the act of March 3, 1891, to delete a reference to Alaska as a Territory. The amendment is perfecting only, and relates to a law regulating timber cutting and removal from the public lands in various States.

WAR HAZARDS COMPENSATION ACT

See analysis of section 40 which also covers section 42 on the War Hazards Compensation Act.

BUY AMERICAN ACT

Section 43 amends the act of March 3, 1933, to delete a reference to Alaska. The amendment is technical only and does not change the geographical application of the Buy American Act insofar as the Federal Government is concerned. The amendment also makes clear that the law does not apply to the State of Alaska as it did to the government of the Territory of Alaska, since the Federal Government, of course, could not thus control the actions of a sovereign State.

TRANSITIONAL GRANTS

Section 44 in subsection (a) authorizes the appropriation to the President of funds to be used for transitional grants to the State of Alaska for fiscal years 1960 through 1964. A \$10,500,000 grant is authorized for 1960, \$6 million for 1961 and for 1962, and \$3 million for 1963 and for 1964. The grants would not be earmarked and would be available as a general supplement to the financial resources of the State. The amounts appropriated for transitional grants would be offset to a large extent by the elimination of appropriations for a number of activities which the Federal Government would have continued to finance in Alaska had it remained a Territory. Those include appropriations for capital improvements at Anchorage and Fairbanks airports; operation and maintenance of intermediate airports; special grants for mental and general health; and construction of recreational facilities. There was also taken into account the fact that Federal-aid highway funds allocated to Alaska after 1960 will not be available for road maintenance and that Alaska would receive revenues from the Federal airports transferred to it.

Subsection (b) would allow the Governor of Alaska to request that a Federal agency continue to provide services and facilities in Alaska for a limited period, pending the taking over of such responsibilities by the State. In the event that the Governor's request is approved, funds for the provision of the services or facilities by the Federal agency would be allocated to it from the grants appropriated under subsection (a), and the grant Alaska receives for the pertinent fiscal year would be correspondingly reduced.

Subsection (c) would authorize the head of a Federal agency, who has transferred to the State of Alaska property or functions pursuant to either the Statehood Act, this bill, or another law, to contract with the State for the continued performance by his agency of functions authorized to be performed by it in Alaska preceding such transfer. The authority would expire June 30, 1964. The State would be required to reimburse the Federal agency for the functions performed by it under contract.

TRANSFER OF PROPERTY

Section 45 would authorize the President to give to the State of Alaska any property owned or held by the United States in Alaska and used in connection with functions performed by the Federal Government which have been taken over by the State. The authority would terminate July 1, 1964.

CLAIMS COMMISSION

Section 46 provides for the establishment, should the need arise, of a temporary three-member Commission to hear and settle any dispute between the Federal Government and Alaska concerning the transfer of Federal property to the State. In both the Statehood Act (notably section 6(e)), and this bill (see secs. 21, 35, and 41), provision is made for the transfer or conveyance of certain Federal property to Alaska. If the respective governments should not agree as to what property is comprehended by such sections, the President would be authorized to appoint, by and with the advice and consent of the Senate, a temporary Commission to settle the dispute. The Commission would make no money settlements, but would merely decide which jurisdiction is entitled to the disputed property. Members would receive \$50 per day, would be reimbursed for travel, and would receive a per diem allowance when away from their usual places of residence. No such Commission could be appointed after June 30, 1965.

EFFECTIVE DATES

Section 47 contains the effective dates for the various amendments to the laws establishing the grant programs of the Department of Health, Education, and Welfare and for the amendments to the Defense Base Act and War Hazards Compensation Act. Most of these provisions have been discussed in relation to the sections amending the pertinent statutes. In addition, subsection (a) of this section provides that where the statutory provisions amended require the allotment percentage, allotment ratio, Federal percentage, or Federal share to be based on per capita income data for a specified period, the determinations will be based, prior to the time when data for the required period are available, on data for the 1-year or 2-year period for which such data are available.

DEFINITION OF "CONTINENTAL UNITED STATES"

Section 48 provides that, when the phrase "continental United States" is used in Federal laws enacted after the date of enactment of this bill, the phrase shall mean the 49 States of the North American Continent and the District of Columbia.

OTHER SUBJECTS

Section 49 makes clear that any amendments provided by the Alaska Omnibus Act shall not be construed as affecting the applicability or inapplicability of other statutes not amended at this time. Since a number of statutes which may require minor amendment, particularly to delete superfluous references to Alaska, are not covered by the bill, such language will assure that the omission of a reference to such laws is not given any significance.

SEPARABILITY

Section 50 provides a separability clause.

EXECUTIVE AGENCY REPORTS

The text of the executive communication transmitting the draft of S. 1541, as introduced, is set forth below, together with comments from the Comptroller General, the Department of State, and the Department of Justice on special aspects of problems connected with the bill.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C. March 24, 1959.

HON. RICHARD M. NIXON,
President of the Senate,
Washington, D.C.

MY DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation to amend certain laws of the United States in the light of the admission of the State of Alaska into the Union, and for other purposes, together with a section-by-section analysis thereof.

This proposal is designed to make those changes in Federal laws which have become necessary and desirable because of Alaska's admission into the Union "on an equal footing with the other States in all respects whatever." The President recommended in his 1960 budget message that, where necessary, changes should be made in Federal laws "to apply to Alaska the same general laws, rules, and policies as are applicable to other States." The proposed legislation would (a) make Alaska eligible to participate in a number of Federal grant-in-aid programs on a comparable basis with the other States; (2) terminate certain special Federal programs in Alaska; (3) authorize Federal financial assistance to Alaska during an interim period, transfers of Federal property to the State, and other measures required to facilitate an orderly transition; (4) clarify the applicability of certain laws to Alaska, and (5) eliminate inappropriate references to the "Territory of Alaska" in Federal statutes.

Alaska already participates in the majority of Federal grant-in-aid programs on the same basis as other States. There are a number of Federal grant-in-aid programs, however, where Alaska is still accorded, as it was when a Territory, treatment different from that of other States. We believe that Alaska, as a full and equal member of the Union, should not receive more or less favorable treatment than other States under these programs. The proposed legislation, therefore, would amend pertinent laws providing Federal assistance for national defense education, vocational education, school construction and operation in federally affected areas, highway construction, vocational rehabilitation, water pollution control, hospital and medical facilities construction, old-age assistance, aid to dependent children, aid to the blind, aid to the permanently and totally disabled, and child welfare services to bring Alaska under the apportionment and matching formulas applicable to all other States as soon as possible. Since the 1960 apportionments have already been made, Alaska would not participate in the Federal-aid highway program on an equal basis until 1961. Transitional provisions have been included in the proposed amendments to the Smith-Hughes Act, which authorizes grants for vocational education, and the Vocational Rehabilitation Act so as to

minimize the effects of any program adjustments which may be required during the transitional period. Those special Federal grants which apply only to Alaska for general and mental health and construction of recreation facilities would be terminated.

The Federal Government at present constructs and maintains highways, operates commercial airports, and provides a number of other services and facilities in Alaska normally furnished by State and local governments. The President stated in his 1960 budget message that, in the longrun interest of both the State and the Nation, "the Federal Government should not continue special programs in Alaska which, in other States, are the responsibility of State and local governments or of private enterprise." Since some time necessarily will elapse before Alaska can benefit fully from the revenues to be derived from public lands and other resources to be made available to the State by the Statehood Act, the President recommended that "the Federal Government should provide such financial assistance as is necessary to facilitate transfer to the State of such programs as highway construction and maintenance, airport operations, and public health services." If such assistance were not provided, the Federal Government would be faced with the undesirable alternative of postponing transfer of these functions to the State for an indefinite period. The proposed legislation, therefore, would authorize the payment of transitional grants to the State of Alaska in an amount of \$10.5 million for the fiscal year 1960 and in declining amounts for the subsequent 4 years. In addition, to assist the State in establishing its court system, the draft bill would transfer to the State any outstanding balances in the accounts of the clerks of the Territorial courts at such time as the Federal District Court for Alaska is established. Under the proposed legislation Alaska could choose between receiving the entire transitional grant and administering the transferred programs directly or by contract with a Federal agency, or requesting that a portion be used for financing continued Federal operations during an interim period. Expenditures for the transitional grants to Alaska would be offset to a large extent by the elimination of existing special Federal programs in Alaska.

It is recognized that Alaska will require not only financial assistance, but also facilities and equipment, if it is expeditiously to assume responsibility for functions now performed by the Federal Government. The Statehood Act provides that U.S. property situated in Alaska which is used for the purpose of conservation and protection of fisheries and wildlife in Alaska shall be transferred to the State without reimbursement. The proposed legislation would authorize the President to make similar transfers of property and equipment in any case where the State assumes responsibility for functions formerly performed by the Federal Government. In the event of differences between the Federal Government and Alaska concerning property transfers, the President would be authorized to appoint a temporary three-member commission to hear and settle the disputes.

As a consequence of Alaska's changed status, it is believed appropriate to require the Court of Appeals for the Ninth Circuit to hold sessions in Alaska annually. Under the proposed legislation that court, which is now required by law to hold sessions each year in San Francisco, Los Angeles, Portland, and Seattle, would be required to hold sessions in Anchorage. The proposed legislation further

provides that the U.S. District Court for the District of Alaska shall hold sessions in Ketchikan, as well as at Anchorage, Fairbanks, Juneau, and Nome.

The proposed legislation would extend the applicability of certain Federal laws to Alaska. These include the Sugar Act, a portion of the Investment Company Act of 1940, not hitherto applicable to certain Alaska companies, the act of June 8, 1940 (protection of bald eagles), the Federal Youth Corrections Act, certain provisions relating to parole, a statute relating to the transportation of bodies of veterans who have died in Veterans' Administration facilities, and section 29 of the Federal Register Act (notice of hearings). The draft bill would also amend the Statehood Act to clarify Federal jurisdiction over public domain lands; provide for the termination of certain "Territorial laws" administered by Federal agencies; and clarify the applicability to Alaska of the statute regarding the importation of milk and cream and the nonapplicability of the tax on transportation; provide for the transfer of the Anchorage and Fairbanks Airports to the State; and provide a definition to be applicable in the future of the term "continental United States." Several of the provisions of the draft bill are essentially technical and perfecting in nature and either eliminate inappropriate references to Alaska or make other language changes which are considered appropriate because of Alaska's changed status.

The Bureau of the Budget urges early and favorable consideration of the proposed legislation, since its enactment is required to assure continuity of a number of essential public services in Alaska and to provide for the orderly transition of Alaska from territorial status to statehood.

Sincerely yours,

MAURICE H. STANS, *Director*.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, April 22, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR MR. CHAIRMAN: Your letter of April 2, 1959, acknowledged April 6, requests our report on S. 1541.

We earlier reported to the Director, Bureau of the Budget, on the draft bill which in substance was introduced as S. 1541. Our principal concern then and now is with the subject matter of section 42. That section provides for the creation of a Claims Commission by the President, to settle finally and conclusively disputes between the United States and State of Alaska concerning the transfer, conveyance, or other disposition of property under section 6(e) of the act of July 7, 1958 (72 Stat. 339, 340), or under S. 1541, should it be enacted into law.

Representatives of the Bureau of the Budget have assured us that there will be no authority in any such Commission to effect money settlements. However, we find nothing in the language of section 42 which would preclude such settlements and, therefore, we recommend the insertion of such language as may be necessary to clearly negative that purpose. Should it be the intent of the bill to authorize payments

in compromising disputes we urge that any such payments be subject to audit by the General Accounting Office.

In compliance with a request by Mr. Stewart French, committee counsel, we enclose copies of our decisions on questions arising from the admission of the Territory of Alaska to statehood. In addition there are pending several cases regarding the effect on Federal statutes of the admission of Alaska and, when decisions are reached in those cases, we will send copies of them to you.

If we may be of further assistance concerning this bill, please let us know.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

DEPARTMENT OF STATE,
Washington, May 7, 1959.

HON. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.*

DEAR MR. CHAIRMAN: With your letter of April 10, 1959, acknowledged by the Department on April 13, you enclosed a copy of S. 1541, to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes, and requested the Department's comments and assistance in working out language for a uniform definition of the term "United States" for purposes of this and similar legislation.

In the matter of a uniform definition of the term "United States" the Department's principal concern is with the understanding of that term as it is used in dealing with foreign governments and, in particular, as it is used in treaties and other international agreements. In international usage the term "United States" is commonly understood to refer not only to the States of the Union and the District of Columbia but also to the Territories of the United States. This concept was stated by the U.S. Supreme Court as follows:

"In dealing with foreign sovereignties, the term 'United States' has a broader meaning than when used in the Constitution, and includes all Territories subject to the jurisdiction of the Federal Government, wherever located. In its treaties and conventions with foreign nations, this Government is a unity. This is so, not because the Territories comprised a part of the Government established by the people of the States in their Constitution, but because the Federal Government is the only authorized organ of the Territories, as well as of the States, in their foreign relations" (*Downes v. Bidwell*, 182 U.S. 244).

It is the practice of the United States to regard treaties to which it is a party as being legally applicable to all Territories of the United States in the absence of an express or implied provision to the contrary.

Thus the Territory of Hawaii even before attaining statehood is included within the term "United States" for international purposes, and all treaties and other agreements of the United States, except where their provisions specify otherwise, are applicable to and binding upon Hawaii.

In addition, Joint Resolution No. 55 of July 7, 1898 (30 Stat. 750), concerning the annexation of Hawaii provides:

"The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations."

Consequently, the admission of Hawaii to statehood will not require any change in the definition of the term "United States" so far as normal international usage is concerned and will not bring any change so far as the application of treaties and agreements is concerned.

The term "United States" as normally used in domestic legislation likewise includes Hawaii. An act approved May 27, 1910, amending section 5 of the act approved April 30, 1900, entitled "An act to provide a government for the Territory of Hawaii," states:

"* * * the Constitution, and, except as otherwise provided, all the laws of the United States, including laws carrying general appropriations, which are not locally inapplicable, shall have the same force and effect within the said Territory as elsewhere in the United States" (31 Stat. 141; 36 Stat. 443).

Section 15 of Public Law 86-3, approved March 18, 1959, for the admission of the State of Hawaii into the Union, provides:

"* * * the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States."

In those cases where Hawaii has been specifically excluded from the operation of U.S. law, as in certain of the legislation which is proposed to be amended by S. 1541, appropriate modification of the law appears necessary. The principal difficulty in this connection appears to arise where the term "continental United States" is used. It is noted that section 44 of S. 1541 defines "continental United States" as used in any future enactment as meaning "the 49 States on the North American Continent and the District of Columbia, unless otherwise expressly provided." It is believed that the admission of Hawaii to statehood should not require any change in that definition. Where it is desired, however, to apply to Hawaii existing legislation now applicable to "continental United States" the legislation in question could be revised to apply to the "United States" (with specified exclusions, if necessary), to the "States of the United States," or to "continental United States and the State of Hawaii."

If the committee desires the Department's views on the application to Hawaii of any specific items of legislation, please do not hesitate to call on us.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,

Assistant Secretary

(For the Secretary of State).]

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., May 14, 1959.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR: This is in response to your request for the views of the Department of Justice on the bill (S. 1541) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes. You also request comments and recommendations with respect to language for a uniform definition of the term "United States."

In general the bill is designed (1) to provide perfecting amendments to existing statutes for the purpose of eliminating unnecessary references to Alaska as a Territory, (2) to make substantive changes in existing laws which are intended to apply to all States, but the express terms of which do not include Alaska, (3) to provide for the assumption by the State of Alaska of certain duties formerly performed by the Federal Government, (4) to perpetuate certain provisions which initially applied to Alaska by virtue of its being a Territory, and (5) to make certain provisions facilitating the transition of Alaska from its status as a Territory to its status as a State.

The Department of Justice has no objection to the enactment of the bill.

With respect to a uniform definition of the term "United States," it is the view of the Department that a satisfactory comprehensive uniform definition for all purposes of either the term "United States" or "continental United States," would be difficult if not impossible to draft. In many statutes the term "United States" in a definition of "continental United States" has of necessity a variety of meanings. To illustrate: Under the Soil Bank Act (sec. 5) and the Internal Revenue Code (sec. 22), the term "continental United States" excludes Alaska, while under the Federal Reserve Act (sec. 8), as well as under the Sugar Act (sec. 4), Alaska is included as part of the continental United States. It is suggested, therefore, that the definition of "United States" should depend upon what is intended to be included in that term in a particular statute in which the term is used.

The Department recognizes that the ultimate admission of Hawaii as a State will require perfecting amendments of a nature similar to those of this bill. However, until Hawaii is admitted as a State, it would seem wise that references thereto should be to the Territory of Hawaii.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, S. 1541, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF JULY 7, 1958 (72 STAT. 339)

SEC. 4. As a compact with the United States said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property not granted or confirmed to the State or its political subdivisions by or under the authority of this Act, the right or title to which is held by the United States or is subject to disposition by the United States, and to any lands or other property (including fishing rights), the right or title to which may be held by any Indians, Eskimos, or Aleuts (hereinafter called natives) or is held by the United States in trust for said natives; that [all such lands or other property, belonging to the United States or which may belong to said natives] *all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives*, shall be and remain under the absolute jurisdiction and control of the United States until disposed of under its authority, except to such extent as the Congress has prescribed or may hereafter prescribe, and except when held by individual natives in fee without restrictions on alienation:
* * *

* * * * *

SEC. 6. (e) All real and personal property of the United States situated in the Territory of Alaska which is specifically used for the sole purpose of conservation and protection of the fisheries and wildlife of Alaska, under the provisions of the Alaska game law of July 1, 1943 (57 Stat. 301; 48 U.S.C., secs. 192-211), as amended, and under the provisions of the Alaska commercial fisheries laws of June 26, 1906 (34 Stat. 478; 48 U.S.C., secs. 230-239 and 241-242), and June 6, 1924 (43 Stat. 465; 48 U.S.C., secs. 221-228), as supplemented and amended, shall be transferred and conveyed to the State of Alaska by the appropriate Federal agency: *Provided*, That the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of ninety [legislative] *calendar* days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of said resources in the broad national interest: * * *

—

SUGAR ACT (61 STAT. 922), AS AMENDED (7 U.S.C., SUPP. V, SEC. 1101)

SEC. 101. * * *

(o) *The term "continental United States" means the forty-nine States and the District of Columbia.*

SOIL BANK ACT (70 STAT. 188; 7 U.S.C., SUPP. V, SEC. 1837)

SEC. 113. This subtitle B shall apply to the continental United States, *except Alaska*, and, if the Secretary determines it to be in the national interest, [to one or more of the Territories of Alaska and Hawaii,] *to the State of Alaska, the Territory of Hawaii*, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term "State" includes [Alaska,] Hawaii, Puerto Rico, and the Virgin Islands.

TITLE 10, UNITED STATES CODE**§ 101. Definitions.**

In addition to the definitions in sections 1–5 of title 1, the following definitions apply in this title:

(1) "United States", in a geographic sense, means the States and the District of Columbia.

(2) "Territory" means [Alaska, Hawaii,] *Hawaii* or any Territory organized after this title is enacted, so long as it remains a Territory.

* * * * *

§ 802. Art. 2. Persons subject to this chapter.

The following persons are subject to this chapter:

* * * * *

(11) Subject to any treaty or agreement to which the United States is or may be a party or to any accepted rule of international law, persons serving with, employed by, or accompanying the armed forces outside the United States and outside the following: [that part of Alaska east of longitude 172 degrees west,] the Canal Zone, the main group of the Hawaiian Islands, Puerto Rico, and the Virgin Islands.

(12) Subject to any treaty or agreement to which the United States is or may be a party or to any accepted rule of international law, persons within an area leased by or otherwise reserved or acquired for the use of the United States which is under the control of the Secretary concerned and which is outside the United States and outside the following: [that part of Alaska east of longitude 172 degrees west,] the Canal Zone, the main group of the Hawaiian Islands, Puerto Rico, and the Virgin Islands.

* * * * *

§ 2662. Real property transactions: agreement with Armed Services Committee; reports.

(a) The Secretary of a military department, or his designee, must come to an agreement with the Committees on Armed Services of the Senate and the House of Representatives before entering into any of the following transactions by or for the use of that department:

* * * * *

(c) This section applies only to real property in the United States, [Alaska,] Hawaii, and Puerto Rico. It does not apply to real property for river and harbor projects or flood-control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

* * * * *

**SECTION 5192 OF THE REVISED STATUTES, AS AMENDED
JULY 1, 1952 (CH. 536, 66 STAT. 314; 12 U.S.C. 144)**

Four-fifths of the reserve of 15 per centum which a national bank located [in Alaska or] in a dependency or insular possession or any part of the United States outside of the continental United States, and not a member of the Federal Reserve System, is required to keep, may consist of balances due such bank from associations approved by the Comptroller of the Currency and located in any one of the central reserve or reserve cities as now or hereafter defined by law or designated by the Board of Governors of the Federal Reserve System.

**FEDERAL RESERVE ACT (38 STAT. 251) AS AMENDED (12
U.S.C. 221)**

Wherever the word "bank" is used in this Act, the word shall be held to include State bank, banking association, and trust company, except where national banks or Federal reserve banks are specifically referred to.

The terms "national bank" and "national banking association" used in this Act shall be held to be synonymous and interchangeable. The term "member bank" shall be held to mean any national bank, State bank, or bank or trust company which has become a member of one of the Federal reserve banks. The term "board" shall be held to mean Board of Governors of the Federal Reserve System; the term "district" shall be held to mean Federal reserve district; the term "reserve bank" shall be held to mean Federal reserve bank [.] ; the term "*the continental United States*" means the States of the United States and the District of Columbia.

* * * * *

SEC. 19. National banks, or banks organized under local laws, located [in Alaska or] in a dependency or insular possession or any part of the United States outside the continental United States, may remain nonmember banks, and shall in that event maintain reserves and comply with all the conditions now provided by law regulating them; or said banks may with the consent of the Board of Governors of the Federal Reserve System, become member banks of any one of the reserve districts, and shall in that event take stock, maintain reserves, and be subject to all the other provisions of this Act.

**FEDERAL HOME LOAN BANK ACT (47 STAT. 725) AS
AMENDED (12 U.S.C. 1422)**

SEC. 2. As used in this Act—

- (1) The term "board" means the Home Loan Bank Board.
- (2) The term "Federal Home Loan Bank" means a bank established by the board under authority of this chapter.
- (3) The term "State" includes the District of Columbia, Guam, Puerto Rico, the Virgin Islands of the United States, and the [Territories of Alaska and Hawaii] *Territory of Hawaii*.

* * * * *

HOME OWNERS' LOAN ACT OF 1933 (48 STAT. 128) AS
AMENDED (12 U.S.C. 1466)

SEC. 7. The provisions of this Act shall apply to the [continental United States, to the Territories of Alaska and Hawaii] *continental United States (including Alaska), to the Territory of Hawaii, and to Puerto Rico, Guam and the Virgin Islands.*

NATIONAL HOUSING ACT (48 STAT. 1246) AS AMENDED

SEC. 9. The provisions of sections 2 and 8 shall be applicable in the several States and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

SEC. 201. (d) The term "State" includes the several States, and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

SEC. 207. (a)(7). The term "State" includes the several States, and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

(c)(2) Not to exceed 90 per centum of the estimated value of the property or project (when the proposed improvements are completed): *Provided*, That except with respect to a mortgage executed by a mortgagor coming within the provisions of subsection (b)(1) of this section or a mortgage on a trailer court or park, such mortgage shall not exceed the amount which the Commissioner estimates will be the cost of the completed physical improvements on the property or project exclusive of public utilities and streets and organization and legal expenses: *And provided further*, That the above limitations in this paragraph shall not apply to mortgages on housing in [the Territory of Alaska] *Alaska, or in Guam, * * **

* * * * *

SEC. 214. If the Federal Housing Commissioner finds that, because of higher costs prevailing in [the Territory of Alaska or in Guam] *Alaska, Guam, or Hawaii*, it is not feasible to construct dwellings on property located in Alaska or in Guam or Hawaii without sacrifice of sound standards of construction, design, or livability within the limitations as to maximum or maxima mortgage amounts provided in this Act, the Commissioner may, by regulations or otherwise, prescribe, with respect to dollar amount, a higher maximum or maxima for the principal obligation of mortgages insured under this Act covering property located in Alaska or in Guam or Hawaii in such amounts as he shall find necessary to compensate for such higher costs but not to exceed, in any event, the maximum otherwise applicable by more than one-half thereof. * * *

* * * * *

SEC. 601. (d) The term "State" includes the several States, and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

SEC. 713. (q) "State" shall include the several States and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * *

SEC. 801. (g) The term "State" includes the several States, and [Alaska,] Hawaii, Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and Midway Island.

* * * * *

SEC. 806. The second sentence of section 214 of this Act, as amended, relating to housing in the [Territory] State of Alaska, shall not apply to mortgages insured under this title on property in said [Territory] State.

TITLE 14, UNITED STATES CODE

§ 634. Officers holding certain offices.

(a) Any officer, including any petty officer, may be designated by the Commandant as captain of the port or ports or adjacent high seas or waters over which the United States has jurisdiction, as the Commandant deems necessary to facilitate execution of Coast Guard duties.

(b) Commissioned officers may be appointed as United States Commissioners or United States Deputy Marshals in [and for the territory of] Alaska. Any such officer appointed as United States Commissioner in [and for the territory of] Alaska shall not be required to execute a bond for the faithful performance of his official duties as such Commissioner.

SECURITIES ACT OF 1933 (48 STAT. 74) AS AMENDED (15 U.S.C. 77b(6))

SEC. 2. When used in this title, unless the context otherwise requires—

* * * * *

(6) The term "Territory" means [Alaska,] Hawaii, Puerto Rico, Canal Zone, the Virgin Islands, and the insular possessions of the United States.

SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881) AS AMENDED (15 U.S.C. 78c (a) (16))

SEC. 3. (a) When used in this title, unless the context otherwise requires—

* * * * *

(16) The term "State" means any State of the United States, the District of Columbia, [Alaska,] Hawaii, Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States.

INVESTMENT ADVISERS ACT OF 1940 (54 STAT. 789) AS AMENDED

SEC. 2. (a) When used in this title, unless the context otherwise requires—

* * * * *

(37) "State" means any State of the United States, the District of Columbia, [Alaska,] Hawaii, Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States.

* * * * *

SEC. 6. (a) The following investment companies are exempt from the provisions of this title:

(1) Any company organized or otherwise created under the laws of and having its principal office and place of business in [Alaska,] Hawaii, Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States; but such exemption shall terminate if any security of which such company is the issuer is offered for sale or sold after the effective date of this title, by such company or an underwriter therefor, to a resident of any State other than the State in which such company is organized.

* * * * *

SEC. 202. (a) When used in this title, unless the context otherwise requires—

* * * * *

(18) "State" means any State of the United States, the District of Columbia, [Alaska,] Hawaii, Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT (49 STAT. 163) AS AMENDED

SEC. 8. (b) * * * In carrying out the provisions of this section in the continental United States, *except in Alaska*, the Secretary is directed to utilize the services of local and State committees selected as hereinafter provided. * * *

* * * * *

SEC. 17. (a) This Act shall apply to [the United States, the Territories of Alaska and Hawaii] *the States, the Territory of Hawaii*, and the possessions of Puerto Rico and the Virgin Islands, and, as used in this Act, the term "State" includes [Alaska,] Hawaii, Puerto Rico, and the Virgin Islands.

ACT OF JUNE 8, 1940 (54 STAT. 250; 16 U.S.C. 668)

Whoever, within the United States or any place subject to the jurisdiction thereof, [except the Territory of Alaska,] without being

permitted so to do as provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle, commonly known as the American eagle, alive or dead, or any part, nest, or egg thereof, shall be fined not more than \$500 or imprisoned not more than six months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any such eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the effective date of this Act, but the proof of such taking shall lie upon the accused in any prosecution under this Act.

**ACT OF SEPTEMBER 2, 1937 (50 STAT. 917) AS AMENDED
(16 U.S.C., SUPP. V, SEC. 669g-1)**

SEC. 8. (a) The Secretary of the Interior is authorized to cooperate with [the Alaska Game Commission,] the Commissioner of Agriculture and Commerce of Puerto Rico, the Governor of Guam, and the Governor of the Virgin Islands, in the conduct of wildlife-restoration projects, as defined in section 2 of this Act, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to [said Territory of Alaska,] Puerto Rico, Guam, and the Virgin Islands, out of money available for apportionment under this Act, such sums as he shall determine, [not exceeding \$75,000 for Alaska, and] not exceeding \$10,000 each for Puerto Rico, Guam, and the Virgin Islands, in any one year, which apportionments, when made, shall be deducted before making the apportionments to the States provided for by this Act; but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 per centum of the cost of any project. Any unexpended or unobligated balance of any apportionment made pursuant to this section shall be available for expenditure in [the Territory of Alaska,] Puerto Rico, Guam, or the Virgin Islands, as the case may be, in the succeeding year, on any approved project, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior in carrying out the provisions of the Migratory Bird Conservation Act.

**ACT OF AUGUST 9, 1950 (64 STAT. 430) AS AMENDED (16
U.S.C., SUPP. V, SEC. 777k)**

SEC. 12. The Secretary of the Interior is authorized to cooperate with [the Alaska Game Commission,] the Commissioner of Agriculture and Commerce of Puerto Rico, the Governor of Guam, and the Governor of the Virgin Islands, in the conduct of fish restoration and management projects as defined in section 2 of this Act, upon such terms and conditions as he shall deem fair, just, and equitable, and is authorized to apportion to [said Territory of Alaska,] Puerto Rico, Guam, and the Virgin Islands, out of money available for apportionment under the Act, such sums as he shall determine, [not exceeding \$75,000 for Alaska, and] not exceeding \$10,000 each for

Puerto Rico, Guam, and the Virgin Islands, in any one year, which apportionments, when made, shall be deducted before making the apportionments to the States provided for by this Act; but the Secretary shall in no event require any of said cooperating agencies to pay an amount which will exceed 25 per centum of the cost of any project. Any unexpended or unobligated balance of any apportionment made pursuant to this section shall be available for expenditure in [the Territory of Alaska,] Puerto Rico, Guam, or the Virgin Islands, as the case may be, in the succeeding year, on any approved project, and if unexpended or unobligated at the end of such year is authorized to be made available for expenditure by the Secretary of the Interior in carrying on the research program of the Fish and Wildlife Service in respect to fish of material value for sport recreation.

TITLE 18, UNITED STATES CODE

§ 1385. USE OF ARMY AND AIR FORCE AS POSSE COMITATUS.

Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years, or both. [This section does not apply in Alaska.]

* * * * *

§ 5024. WHERE APPLICABLE.

This chapter shall apply in the continental United States [other than Alaska] *including Alaska*, and to youth offenders convicted in the District of Columbia of offenses under any law of the United States not applicable exclusively to such District, and to other youth offenders convicted in the District to the extent authorized under section 5025.

ACT OF AUGUST 25, 1958 (72 STAT. 845, 847)

SEC. 6. Sections 3 and 4 of this Act shall apply in the continental United States [other than Alaska] *including Alaska*, and in the District of Columbia so far as they relate to persons charged with or convicted of offenses under any law of the United States not applicable exclusively to the District of Columbia.

NATIONAL DEFENSE EDUCATION ACT OF 1958 (72 Stat. 1580)

SEC. 103. As used in this Act—

(a) The term "State" means a State, [Alaska,] Hawaii, Puerto Rico, the District of Columbia, the Canal Zone, Guam, or the Virgin Islands, except that as used in sections 302 and 502, such term does not include [Alaska,] Hawaii, Puerto Rico, the Canal Zone, Guam, or the Virgin Islands.

* * * * *

SEC. 302. (a) * * *

(3) For the purposes of this title—

(A) The term “child of school age” means a member of the population between the ages of five and seventeen, both inclusive.

(B) The term “continental United States” [does not include Alaska] *includes Alaska.*

* * * * *

SEC. 1008. The amounts reserved by the Commissioner under sections 302 and 502 shall be allotted by the Commissioner among [Alaska,] Hawaii, Puerto Rico, the Canal Zone, Guam, and the Virgin Islands, according to their respective needs for the type of assistance furnished under the part or title in which the section appears.

ACT OF FEBRUARY 23, 1917 (39 STAT. 931; 20 U.S.C. 14)

SEC. 4. For the purpose of cooperating with the States in preparing teachers, supervisors, and directors of agricultural subjects and teachers of trade and industrial and home economics subjects, there is annually appropriated for the use of the States the sum of \$1,000,000. Said sum shall be allotted to the States in the proportion which their population bears to the total population of the United States, not including outlying possessions, according to the last preceding United States census. The allotment of funds to any State shall be not less than a minimum of \$10,000 for any fiscal year. And there is appropriated the sum of [\$90,000] \$98,500 annually, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment provided for in this section.

VOCATIONAL EDUCATION ACT OF 1946 (60 STAT. 775)

SEC. 2. As used in this Act—

(1) the term “States and Territories” means the several States, [the Territories of Alaska and Hawaii] *the Territory of Hawaii*, the island of Puerto Rico, and the District of Columbia;

(2) the terms “State plan” and “State board” shall have the meaning which said terms have in the Smith-Hughes Vocational Education Act; and

(3) the term “Smith-Hughes Vocational Education Act” means the Act approved February 23, 1917 (39 Stat. 929, ch. 114).

* * * * *

SEC. 210. (e) The term “State” includes [Alaska,] Hawaii, the Virgin Islands, Puerto Rico, and the District of Columbia.

* * * * *

SEC. 307. For purposes of this title—

(a) The term “State” includes [Alaska,] Hawaii, the Virgin Islands, Puerto Rico, the District of Columbia, and Guam.

ACT OF SEPTEMBER 23, 1950, AS AMENDED (72 STAT. 548)

SEC. 15. For the purposes of this Act—

* * * * *

(13) The term “State” means a State, [Alaska,] Hawaii, Puerto Rico, Guam, the Virgin Islands, or Wake Island.

ACT OF SEPTEMBER 30, 1950, AS AMENDED (72 STAT. 548)

SEC. 3. (d) The local contribution rate for a local educational agency (other than a local educational agency in [Alaska,] Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, *or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency*) for any fiscal year shall be computed by the Commissioner of Education, after consultation with the State educational agency and the local educational agency, in the following manner:

(1) he shall determine which school districts within the State are in his judgment generally comparable to the school district of the agency for which the computation is being made; and * * *. The local contribution rate shall be an amount equal to the quotient obtained under clause (2) of this subsection. * * * In no event shall the local contribution rate for any local educational agency in any State in the continental United States (*including Alaska*) for any fiscal year be less than (i) 50 per centum of the average per pupil expenditure in such State or (ii) 50 per centum of the average per pupil expenditure in the continental United States, but not to exceed the average per pupil expenditure in the State: *Provided*, That if, for the fiscal year ending June 30, 1959, the application of clause (ii) of this sentence results in a lower local contribution rate than resulted from the application of such clause during the fiscal year ending June 30, 1958, as such clause was then in effect, then such clause, as in effect during the fiscal year ending June 30, 1958, shall be in effect during the fiscal year ending June 30, 1959. For the purposes of the preceding sentence the "average per pupil expenditure" in a State, or in the continental United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in the State, or in the continental United States (*including Alaska*), as the case may be (without regard to the sources of funds from which such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding fiscal year. The local contribution rate for any local educational agency in [Alaska,] Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, *or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency*, shall be determined for any fiscal year by the Commissioner in accordance with policies and principles which will, in his judgment, best effectuate the purposes of this Act and most nearly approximate the policies and principles provided herein for determining local contribution rates in other States.

* * * * *

SEC. 9. For the purposes of this Act—

* * * * *

(8) The term "State" means a State, [Alaska,] Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands.

ACT OF FEBRUARY 15, 1927 (44 STAT. 1101; 21 U.S.C., SEC. 149)

SEC. 9. When used in this Act—

(a) The term "person" means an individual, partnership, association, or corporation.

(b) The term "United States" means continental United States, *including Alaska.*

OPIUM POPPY CONTROL ACT OF 1942 (56 STAT. 1045; 21 U.S.C., SEC. 188k)

SEC. 12. The provisions of this Act shall apply to the several States, the District of Columbia, [the Territory of Alaska,] the Territory of Hawaii, the Canal Zone, Puerto Rico, and the other insular possessions of the United States.

TITLE 23, UNITED STATES CODE**§ 101. DEFINITIONS AND DECLARATION OF POLICY.**

(a) As used in this title, unless the context requires otherwise—

* * * * *

The term "State" means any one of the [forty-eight] *forty-nine* States, the District of Columbia, Hawaii, [Alaska,] or Puerto Rico.

* * * * *

§ 103. FEDERAL-AID SYSTEMS.

* * * * *

[(f) The system or systems of roads in the Territory of Alaska on which Federal-aid funds may be expended under this chapter shall be determined and agreed upon by the Governor of Alaska, the Alaska Highway and Public Works Board, and the Secretary.]

* * * * *

§ 104. APPORTIONMENT.

* * * * *

(a) * * *

(b) On or before January 1 next preceding the commencement of each fiscal year, except as provided in paragraphs (4) and (5) of this subsection, the Secretary, after making the deduction authorized by subsection (a) of this section, shall apportion the remainder of the sums authorized to be appropriated for expenditure upon the Federal-aid systems for that fiscal year, among the several States in the following manner:

(1) For the Federal-aid primary system:

One-third in the ratio which the area of each State bears to the total area of all the States [except that only one-third of the area of Alaska shall be included]; one-third in the ratio which the population of each State bears to the total population of all the States as shown by the latest available Federal census; one-third in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery and star routes in all the States at the close of the next preceding fiscal year, as shown by a certificate of

the Postmaster General, which he is directed to make and furnish annually to the Secretary. No State shall receive less than one-half of 1 per centum of each year's apportionment.

(2) For the Federal-aid secondary system:

One-third in the ratio which the area of each State bears to the total area of all the States **[**, except that only one-third of the area of Alaska shall be included**]**; one-third in the ratio which the rural population of each State bears to the total rural population of all the States as shown by the latest available Federal census; and one-third in the ratio which the mileage of rural delivery and star routes, certified as above provided, in each State bears to the total mileage of rural delivery and star routes in all the States. No State shall receive less than one-half of 1 per centum of each year's apportionment.

* * * * *

§ 116. MAINTENANCE.

(a) **[**Except as provided in subsection (d) of this section, it**]** *It* shall be the duty of the State highway department to maintain, or cause to be maintained, any project constructed under the provisions of this chapter or constructed under the provisions of prior Acts. The State's obligation to the United States to maintain any such project shall cease when it no longer constitutes a part of a Federal-aid system.

* * * * *

[(d) The Federal-aid funds apportioned to the Territory of Alaska and the funds contributed by the Territory under section 120 of this title may be expended for the maintenance of roads within the system or systems of roads agreed upon under section 103(f) of this title under the same terms and conditions as for the construction of such roads.**]**

* * * * *

[§ 119. ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS IN ALASKA.**]**

[(a) The Secretary shall administer the functions, duties, and authority pertaining to the construction, repair and maintenance of roads, tramways, ferries, bridges, trails, and other works in Alaska, conferred upon the Department of the Interior and, prior to September 16, 1956, administered by the Secretary of the Interior under the Act of June 30, 1932 (47 Stat. 446; 48 U.S.C., sec. 321a and following).**]**

[(b) The Secretary shall, by order or regulations, distribute the functions, duties, and authority required to be administered by him under subsection (a) of this section and appropriations pertaining thereto as he may deem proper to accomplish the economical and effective organization and administration thereof.**]**

* * * * *

§ 120. FEDERAL SHARE PAYABLE.

(a) Subject to the provisions of **[**subsections (d) and (h)**]** *subsection (d)* of this section, the Federal share payable on account of any project, financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system shall not exceed 50 per centum of the cost of construction, except that in the case of any State containing unappropriated and unreserved

public lands and non-taxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State, is of its total area.

* * * * *

[(h) The Territory of Alaska shall contribute funds each fiscal year in an amount that shall be not less than 10 per centum of the Federal funds apportioned to it for such fiscal year, such contribution to be deposited in a special account in the Federal Treasury for use in conjunction with the Federal funds apportioned to the Territory. The Federal funds apportioned to the Territory of Alaska and the funds contributed by the Territory may be expended by the Secretary either directly or in cooperation with the Alaska Highway and Public Works Board and may be so expended separately or in combination and without regard to the matching provisions of this chapter.]

* * * * *

FEDERAL-AID HIGHWAY ACT OF 1956 (70 STAT. 374)

SEC. 107. * * *

[(b) TRANSFER OF FUNCTIONS.—Effective not more than ninety days after the approval of this Act, the functions, duties, and authority pertaining to the construction, repair, and maintenance of roads, tramways, ferries, bridges, trails, and other works in Alaska, conferred upon the Department of the Interior and heretofore administered by the Secretary of the Interior under the Act of June 30, 1932 (47 Stat. 446; 48 U.S.C., sec. 321a and following), are hereby transferred to the Department of Commerce, and thereafter shall be administered by the Secretary of Commerce, or under his direction, by such officer, or officers, as may be designated by him.]

* * * * *

[(d) EFFECTUATION OF TRANSFER.—The Secretary of the Interior and the Secretary of Commerce shall take such steps as may be necessary or appropriate to effect the transfer from the Department of the Interior to the Department of Commerce of the functions, duties, and authority, and the funds and property, as herein provided for.]

ACT OF JANUARY 27, 1905 (33 Stat. 616), AS AMENDED (48 U.S.C., SEC. 322 AND THE FOLLOWING)

[SEC. 2. The Secretary of the Interior, or such officer, or officers as may be designated by him, shall, upon his own motion or upon petition, locate, lay out, construct, and maintain roads, trails, and bridges from any point on the navigable waters of Alaska to and through any town, mining or other industrial camp or settlement, or between and through any such town, camps, or settlements therein, if in his judgment such roads, trails, or bridges are needed and will be of permanent value for the development of Alaska: *Provided*, That within incorporated towns only roads and bridges which are designated by the Secretary of the Interior as part of the through highway system

of the Territory of Alaska may be constructed under this section: *Provided further*, That no roads or bridges within incorporated towns shall be maintained under this section. The Secretary of the Interior, or such officer, or officers, as may be designated by him, shall prepare maps, plans, and specifications of every road or trail he may locate and lay out, and whenever more than \$20,000 in the aggregate, shall have to be expended upon the actual construction of any road or section of road designed to be permanent, contract for the work shall be let by him to the lowest responsible bidder, upon sealed bids, after due notice, under rules and regulations to be prescribed by him. He may reject any bid if he deems the same unreasonably high or if he finds that there is a combination among bidders. In case no responsible and reasonable bid can be secured, then the work may be carried on with material and men procured and hired by him. The Secretary of the Interior, or such officer, or officers, as may be designated by him, shall in all cases supervise the work of construction and see that the same is properly performed. As soon as any road or trail laid out by him has been constructed and completed he, or such officer, or officers as may be designated by him, shall examine the same and make a full and detailed report of the work done on the same, and in such report shall state whether the road or trail has been completed conformably to the maps, plans, and specifications of the same. It shall be the duty of the Secretary of the Interior, or such officer or officers as may be designated by him, as far as practicable, to keep in proper repair all roads and trails constructed under his supervision, and the same rules as to the manner in which the work of repair shall be done, whether by contract or otherwise, shall govern as in the case of the original construction of the road or trail. The cost and expenses of laying out, constructing, and repairing such roads and trails shall be paid by the Secretary of the Treasury, through such officer or officers as may be designated by the Secretary of the Interior, out of the road and trail portion of said "Alaska fund" upon vouchers approved and certified by the Secretary of the Interior. The Secretary of the Treasury shall, at the end of each month, send by mail to the Secretary of the Interior a statement of the amount available of said "Alaska fund" for the construction and repair of roads and trails, and no greater liability for construction or repair shall at any time be incurred by the Secretary of the Interior or such officer or officers as may be designated by him, than the money available therefor at that time in said fund.】

**ACT OF JUNE 30, 1932 (47 STAT. 446), AS AMENDED (48 U.S.C.,
SEC. 321(a) AND THE FOLLOWING)**

【From and after the passage of this Act the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska, and upon the Secretary of the Army, as provided for in the Act of January 27, 1905 (ch. 277, sec. 2, 33 Stat. 616), as amended by the Act of May 14, 1906 (ch. 2458, sec. 2, 34 Stat. 192), and Acts supplemental thereto, and amendatory thereof, are hereby transferred to the Department of the Interior, and shall hereafter be administered by the Secretary of the Interior, or under his direction, by such officer, or officers, as may be designated by him.

[SEC. 2. The Secretary of the Interior shall execute or cause to be executed all laws pertaining to the construction and maintenance of roads and trails and other works in Alaska, heretofore administered by said board of road commissioners under the direction of the Secretary of the Army; and all appropriations heretofore made, and now available, or that hereafter may be made, for expenditure by said board for meeting the cost of such work in the Territory of Alaska, are transferred to the Secretary of the Interior, to be thereafter administered in accordance with the provisions of this Act; and the said board is directed to turn over to the Secretary of the Interior all equipment, materials, supplies, papers, maps, and documents, or other property utilized in the exercise of such powers, for the use of the said Secretary in the administration of the construction and maintenance of roads, tramways, ferries, bridges, and trails, and other works in the Territory of Alaska, heretofore administered by said board.

[SEC. 3. With the approval of the President, the Secretary of the Interior shall have power, by order or regulation, to distribute the duties and authority transferred, and appropriations pertaining thereto, as he may deem proper to accomplish a more economical and effective organization thereof, and to make rules and regulations governing the use of roads, trails, and other works, including the fixing and collection of tolls where deemed necessary and advisable in the public interest.

[SEC. 4. All estimates of appropriations for the construction and maintenance of roads and trails and other works, as submitted prior to June 30, 1932, by the Secretary of the Army, shall after such date be submitted by the Secretary of the Interior.

[SEC. 5. In all patents for lands hereafter taken up, entered, or located in the Territory of Alaska, and in all deeds by the United States hereafter conveying any lands to which it may have reacquired title in said Territory not included within the limits of any organized municipality, there shall be expressed that there is reserved, from the lands described in said patent or deed, a right-of-way thereon for roads, roadways, highways, tramways, trails, bridges, and appurtenant structures constructed or to be constructed by or under the authority of the United States or of any State created out of the Territory of Alaska. When a right-of-way reserved under the provisions of this Act is utilized by the United States or under its authority, the head of the agency in charge of such utilization is authorized to determine and make payment for the value of the crops thereon if not harvested by the owner, and for the value of any improvements, or for the cost of removing them to another site, if less than their value.]

INTERNAL REVENUE CODE OF 1954

§ 2202. MISSIONARIES IN FOREIGN SERVICE.

Missionaries duly commissioned and serving under boards of foreign missions of the various religious denominations in the United States, dying while in the foreign missionary service of such boards, shall not, by reason merely of their intention to permanently remain in such foreign service, be deemed nonresidents of the United States, but shall be presumed to be residents of the State, the District of Columbia,

[Alaska] or Hawaii wherein they respectively resided at the time of their commissioned and their departure for such foreign service.

* * * * *

§ 3121. DEFINITIONS.

* * * * *

(e) STATE, UNITED STATES, AND CITIZEN.—For purposes of this chapter—

(1) STATE.—The term “State” includes [Alaska,] Hawaii, the District of Columbia, Puerto Rico, and the Virgin Islands.

(2) UNITED STATES.—The term “United States” when used in a geographical sense includes Puerto Rico and the Virgin Islands.

An individual who is a citizen of Puerto Rico (but not otherwise a citizen of the United States) shall be considered, for purposes of this section, as a citizen of the United States.

* * * * *

§ 3306. DEFINITIONS.

* * * * *

(j) STATE.—For purposes of this chapter, the term “State” includes [Alaska,] Hawaii, and the District of Columbia.

* * * * *

§ 4221. CERTAIN TAX-FREE SALES.

* * * * *

(d) DEFINITIONS.—For the purposes of this section—

* * * * *

(4) STATE OR LOCAL GOVERNMENT.—The term “State or local government” means any State, [Alaska,] Hawaii, the District of Columbia, or any political subdivision of any of the foregoing.

* * * * *

§ 4233. EXEMPTIONS.

(a) ALLOWANCE.—No tax shall be imposed under section 4231 in respect of:

* * * * *

(b) STATE DEFINED.—For purposes of subsection (a), the term “State” includes [Alaska,] Hawaii, and the District of Columbia.

* * * * *

§ 4262. DEFINITION OF TAXABLE TRANSPORTATION.

* * * * *

(c) DEFINITIONS.—For purposes of this section—

(1) CONTINENTAL UNITED STATES.—The term “continental United States” means the [existing 48 States and the] District of Columbia *and the States other than Alaska*.

(2) 225-MILE ZONE.—The term “225-mile zone” means that portion of Canada and Mexico which is not more than 225 miles from the nearest point in the continental United States.

* * * * *

§ 4502. DEFINITIONS.

For the purposes of this subchapter—

* * * * *

(5) UNITED STATES.—The term “United States” shall be deemed to include the States, [the Territories of Hawaii and Alaska] *the Territory of Hawaii*, the District of Columbia, and Puerto Rico.

* * * * *

§ 4774. TERRITORIAL EXTENT OF LAW.

The provisions of sections 4701 to 4707, inclusive, and sections 4721 to 4776, inclusive, shall apply to the several States, the District of Columbia, [the Territory of Alaska,] the Territory of Hawaii, and the insular possessions of the United States; and, in the case of narcotic drugs, shall also apply to the Trust Territory of the Pacific Islands and to the Canal Zone. * * *

* * * * *

§ 7621. INTERNAL REVENUE DISTRICTS

(a) ESTABLISHMENT AND ALTERATION.—The President shall establish convenient internal revenue districts for the purpose of administering the internal revenue laws. The President may from time to time alter such districts.

(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite [two or more States or Territories into one district] *into one district two or more States or a Territory and one or more States*.

* * * * *

§ 7653. SHIPMENTS FROM THE UNITED STATES.

* * * * *

(d) All customs duties and Federal income taxes derived from Guam, the proceeds of all taxes collected under the internal-revenue laws of the United States on articles produced in Guam and transported to the United States, [its Territories, or possessions] *its possessions or the Territory of Hawaii*, or consumed in Guam, and the proceeds of any other taxes which may be levied by the Congress on the inhabitants of Guam, and all quarantine, passport, immigration, and naturalization fees collected in Guam shall be covered into the treasury of Guam and held in account for the government of Guam, and shall be expended for the benefit and government of Guam in accordance with the annual budgets.

* * * * *

§ 7701. DEFINITIONS.

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

* * * * *

(9) UNITED STATES.—The term “United States” when used in a geographical sense includes only the States, [the Territories of Alaska and Hawaii] *the Territory of Hawaii*, and the District of Columbia.

(10) STATE.—The term “State” shall be construed to include the [Territories] *Territory of Hawaii* and the District of Columbia, where such construction is necessary to carry out provisions of this title.

TITLE 28, UNITED STATES CODE

* * * * *

§ 81A. ALASKA.

Alaska constitutes one judicial district.

Court shall be held at Anchorage, Fairbanks, Juneau, *Ketchikan*, and Nome.

* * * * *

VOCATIONAL REHABILITATION ACT (41 STAT. 735) AS AMENDED (29 U.S.C. SUPP. V, SECS. 41(g), (h) AND (i))

SEC. 11. For the purposes of this Act—

* * * * *

(g) The term “State” includes [Alaska,] the District of Columbia, Hawaii, the Virgin Islands and Puerto Rico, and Guam.

(h)(1) The “allotment percentage” for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*), except that (A) the allotment percentage shall in no case be more than 75 per centum or less than 33½ per centum, and (B) the allotment percentage for Hawaii shall be 50 per centum, and the allotment percentage for [Alaska,] Puerto Rico, Guam, and the Virgin Islands shall be 75 per centum.

* * * * *

(i) The “Federal share” for any State for any fiscal year (other than the fiscal year ending June 30, 1954) shall be 100 per centum less that percentage which bears the same ratio to 40 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*),

except that (A) the Federal share shall in no case be more than 70 per centum or less than 50 per centum, and (B) the Federal share for [Hawaii and Alaska] *Hawaii* shall be 60 per centum, and the Federal share for Puerto Rico, Guam, and the Virgin Islands shall be 70 per centum. * * *

GOLD RESERVE ACT OF 1934 (48 STAT. 337) AS AMENDED (31 U.S.C. 444)

SEC. 15. As used in this Act, the term "United States" means the Government of the United States; the term "the continental United States" means the States of the United States [the District of Columbia, and the Territory of Alaska] *and the District of Columbia*; the term "currency of the United States" means currency which is legal tender in the United States, and includes United States notes, Treasury notes of 1890, gold certificates, silver certificates, Federal Reserve notes, and circulating notes of Federal Reserve banks and national banking associations; and the term "person" means any individual, partnership, association, or corporation, including the Board of Governors of the Federal Reserve System, Federal Reserve banks, and Federal Reserve agents. * * *

SILVER PURCHASE ACT OF 1934 (48 STAT. 1178; 31 U.S.C. 448b)

SEC. 10. As used in this Act—

The term "person" means an individual, partnership, association, or corporation;

The term "the continental United States" means the States of the United States [the District of Columbia and the Territory of Alaska] *and the District of Columbia*;

* * * * *

TITLE 32, UNITED STATES CODE

§ 101. DEFINITIONS.

In addition to the definitions in sections 1-5 of title 1, the following definitions apply in this title:

(1) "Territory" means [Alaska, Hawaii,] *Hawaii* or any Territory organized after this title is enacted, so long as it remains a territory.

* * * * *

FEDERAL WATER POLLUTION CONTROL ACT (62 STAT. 1155) AS AMENDED (33 U.S.C., SUPP. V. SEC. 466)

SEC. 5. (h) (1) The "Federal share" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*), except that (A) the Federal share shall in no case be more than 66⅔ per centum or less than 33⅓ per centum, and (B)

the Federal share for Hawaii [and Alaska] shall be 50 per centum, and for Puerto Rico and the Virgin Islands shall be 66% per centum.

* * * * *

SEC. 11. When used in this Act—

* * * * *

(d) The term "State" means a State, the District of Columbia, Hawaii, [Alaska,] Puerto Rico, or the Virgin Islands.

TITLE 38, UNITED STATES CODE

§ 903. DEATH IN VETERANS' ADMINISTRATION FACILITY.

(a) Where death occurs in a Veterans' Administration facility to which the deceased was properly admitted for hospital or domiciliary care under authority of section 610 or 611(a) of this title, the Administrator shall pay the actual cost (not to exceed \$250) of the burial and funeral.

(b) In addition to the foregoing, when such a death occurs in the continental United States (*including Alaska*), the Administrator shall transport the body to the place of burial in the *continental* United States [, or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care] (*including Alaska*). Where such a death occurs in a Territory, a Commonwealth, or a possession of the United States, the Administrator shall transport the body to the place of burial within such Territory, Commonwealth, or possession.

(c) Within the limits prescribed in subsection (a), the Administrator may make contracts for burial and funeral services without regard to the laws requiring advertisement for proposals for supplies and services for the Veterans' Administration.

* * * * *

§ 2007. DEFINITIONS.

When used in this subchapter—

(a) The term "Korean conflict veteran" means any person who has served in the active service in the Armed Forces at any time on or after June 27, 1950, and before February 1, 1955, and who has been discharged or released from such active service under conditions other than dishonorable after continuous service of ninety days or more, or more, or by reason of an actual service-incurred injury or disability.

(b) The term "unemployment compensation" means the money payments to individuals with respect to their unemployment.

(c) The term "State" includes Hawaii, [Alaska,] Puerto Rico, the Virgin Islands, and the District of Columbia.

* * * * *

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 (63 STAT. 378; 40 U.S.C. SECS. 472(f) AND 522(a))

SEC. 3. (f) The term "foreign excess property" means any excess property located outside the continental United States [, Hawaii,

Alaska,] (*including Alaska*), *Hawaii*, Puerto Rico, and the Virgin Islands.

* * * * *

SEC. 702. As used in this title—

(a) The term "State" means each of the several States of the United States and the [Territories of Alaska and Hawaii] *Territory of Hawaii*.

* * * * *

PUBLIC HEALTH SERVICE ACT (58 STAT. 682) AS AMENDED
(42 U.S.C. SECS. 201, 273, 274, AND 291)

SEC. 2. When used in this Act—

* * * * *

(f) The term "State" means a State or the District of Columbia, [Hawaii, Alaska,] *Hawaii*, Puerto Rico, or the Virgin Islands, except that as used in section 361(d) such term means a State[, the District of Columbia or Alaska] *or the District of Columbia*.

* * * * *

[SEC. 371. (a) There are authorized to be appropriated the following sums to be available to the Surgeon General of the Public Health Service for the purpose of making grants to the Territory of Alaska to assist it to carry out plans, submitted by the Governor of the Territory or his designee and approved by the Surgeon General, for an integrated mental health program for the Territory, including outpatient and inpatient care and treatment: For each of the fiscal years ending June 30, 1958, and June 30, 1959, the sum of \$1,000,000; for each of the fiscal years ending June 30, 1960, and June 30, 1961, the sum of \$800,000; for each of the fiscal years ending June 30, 1962, and June 30, 1963, the sum of \$600,000; for each of the fiscal years ending June 30, 1964, and June 30, 1965, the sum of \$400,000; and for each of the years ending June 30, 1966, and June 30, 1967, the sum of \$200,000.

[(b) The Surgeon General shall, prior to the beginning of each calendar quarter or such shorter period as the Surgeon General may find necessary, estimate the cost of carrying out the approved plan, on the basis of estimates furnished by the Territory, including estimates of the amount of contractual obligations for hospitalization, and on the basis of such further investigations as he may find necessary. From the amounts appropriated for any fiscal year, the Surgeon General shall pay to the Territory the amount requested by it but not to exceed the amount so estimated by the Surgeon General for each such period, reduced or increased, as the case may be, by any sum (not previously adjusted under this section) by which he finds that the amount paid for any prior period was greater or less than the amount which should have been paid. The amount of any balance of payments made to the Territory under this section and remaining unobligated on July 1, 1967, shall be repaid to the Treasury of the United States.

[(c) Whenever the Surgeon General finds, after affording opportunity for hearing, that the Territory has failed to comply substantially with any provisions of the approved plan, he shall notify the Governor that no further payments will be made under this section (or that further payments will not be made for parts of the plan affected by

such failure) until he is satisfied that there will no longer be any such failure.

[(d) For the purpose of facilitating the administration of the Territory's mental health program, the Surgeon General is authorized to enter into arrangements with the Territorial government to provide for the care and treatment, in hospitals operated by the Service, of patients requiring hospitalization. Such arrangements shall be subject to the availability of suitable facilities therefor and shall provide for charges to the Territorial government in amounts determined by the Surgeon General which shall be sufficient to cover the full cost of such care and treatment. Upon payment by the Territory the amount of such charges shall be credited to the appropriation from which such costs were incurred: *Provided, That, during the period of grants under this section, payment may be effected by deductions from the amount of such grants otherwise payable to the Territory, with such deduction to be credited to the appropriations from which such costs were incurred.*]

* * * * *

SEC. 372. (a) There is hereby authorized to be appropriated an amount not exceeding the total sum of \$6,500,000, to remain available until expended, to enable the Surgeon General to make payments to [the Territory of] Alaska as the total contribution of the Federal Government to be used in defraying the cost of construction of hospital and other facilities in Alaska needed for the carrying out of a comprehensive mental health program.

(b) Such facilities shall be scheduled for construction in accordance with a comprehensive construction program, developed by [the Territory] *Alaska* in consultation with the Public Health Service and approved by the Surgeon General. Projects shall be constructed in accordance with such approved program and in accordance with plans and specifications for the project approved by the Surgeon General.

(c) Upon certification by [the Territory] *Alaska*, based upon inspection by it, that work has been performed upon a project, or purchases have been made in accordance with approved plans and specifications, and that payment of the installment is due, the Surgeon General shall certify such installment for payment: *Provided however, That the Surgeon General may cause the project to be inspected at any time, and if such inspection indicates that the project is not being constructed in accordance with approved plans and specifications, he may, after notice and affording opportunity for hearing, withhold further payment until he finds that adequate corrective measures have been taken.*

(d) * * *

(e) If, within twenty years from the date of completion of construction, any hospital or other medical facility constructed with the aid of grants under this section shall cease to be a publicly owned facility operated for the care or treatment of patients under [the Territory's] *Alaska's* mental health program, the United States shall be entitled to recover from [the Territory] *Alaska* the then value of the hospital or other medical facility, reduced, however, proportionately, to the extent to which [the Territory] *Alaska* may have contributed to the cost of construction thereof.

* * * * *

SEC. 631. For the purposes of this title—

(a) the allotment percentage for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*), except that (1) the allotment percentage shall in no case be more than 75 per centum or less than 33½ per centum, and (2) the allotment percentage [for Alaska and Hawaii shall be 50 per centum each] *for Hawaii shall be 50 per centum*, and the allotment percentage for Puerto Rico, Guam, and the Virgin Islands shall be 75 per centum; * * *

(d) the term “State” includes [Alaska,] Hawaii, Puerto Rico, Guam, the Virgin Islands, and the District of Columbia.

SOCIAL SECURITY ACT (49 STAT. 620) AS AMENDED

SEC. 202.(i) * * * In the case of any individual who died outside the [forty-eight] *forty-nine* States and the District of Columbia after December 1956 while he was performing service, as a member of a uniformed service, to which the provisions of section 210(m)(1) are applicable, and who is returned to any of such States, or the District of Columbia, or to any Territory of possession of the United States, for interment or reinterment, the provisions of the third sentence of this subsection shall not prevent payment to any person under the second sentence of this subsection if application for a lump-sum death payment with respect to such deceased individual is filed by or on behalf of such person (whether or not legally competent) prior to the expiration of two years after the date of such interment or reinterment.

* * * * *

SEC. 210. (h) The term “State” includes [Alaska,] Hawaii, the District of Columbia, and the Virgin Islands; and on and after the effective date specified in section 219 such term includes Puerto Rico.

(i) The term “United States” when used in a geographical sense means the States, [Alaska,] Hawaii, the District of Columbia, and the Virgin Islands; and on and after the effective date specified in section 219 such term includes Puerto Rico.

* * * * *

SEC. 524. (a) The “allotment percentage” for any State shall be 100 per centum less the State percentage; and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*); except that (A) the allotment percentage shall in no case be less than 30 per centum or more than 70 per centum, and (B) the allotment percentage shall be [50 per centum in the case of Alaska and] 70 per centum in the case of Puerto Rico, the Virgin Islands, and Guam.

(b) For the fiscal year ending June 30, 1960, and each year thereafter, the “Federal share” for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the

continental United States [(excluding Alaska)] (*including Alaska*), except that (1) in no case shall the Federal share be less than 33½ per centum or more than 66⅔ per centum, and (2) the Federal share shall be [50 per centum in the case of Alaska and] 66⅔ per centum in the case of Puerto Rico, the Virgin Islands, and Guam. For the fiscal year ending June 30, 1959, the Federal share shall be determined pursuant to the provisions of section 521 as in effect prior to the enactment of the Social Security Amendments of 1958.

(c) The Federal share and the allotment percentage for each State shall be promulgated by the Secretary between July 1 and August 31 of each even-numbered year, on the basis of the average per capita income of each State and of the continental United States [(excluding Alaska)] (*including Alaska*) for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation: *Provided*, That the Secretary shall promulgate such Federal shares and allotment percentages as soon as possible after the enactment of the Social Security Amendments of 1958, which promulgation shall be conclusive for each of the 3 fiscal years in the period ending June 30, 1961.

* * * * *

SEC. 1101. (a) When used in this Act—

(1) The term “State” includes [Alaska, Hawaii,] *Hawaii* and the District of Columbia, and when used in titles I, IV, V, VII, X, and XIV of this Act includes Puerto Rico, the Virgin Islands, and Guam.

(2) The term “United States” when used in a geographical sense means the States, [Alaska,] *Hawaii*, and the District of Columbia.

* * * * *

(8)(A) The “Federal percentage” for any State (other than Puerto Rico, the Virgin Islands, and Guam) shall be 100 per centum less the State percentage; and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the square of the per capita income of such State bears to the square of the per capita income of the continental United States [(excluding Alaska)] (*including Alaska*); except that (i) the Federal percentage shall in no case be less than 50 per centum or more than 65 per centum, and (ii) the Federal percentage shall be 50 per centum for [Alaska and] *Hawaii*.

(B) The Federal percentage for each State (other than Puerto Rico, the Virgin Islands, and Guam) shall be promulgated by the Secretary between July 1 and August 31 of each even-numbered year, on the basis of the average per capita income of each State and of the continental United States [(excluding Alaska)] (*including Alaska*) for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. * * *

ACT OF JANUARY 12, 1895 (28 STAT. 617) AS AMENDED (44 U.S.C., SUPP. V, SEC. 183)

SEC. 73. The Public Printer shall furnish the Congressional Record as follows and shall furnish gratuitously no others in addition thereto:

* * * * *

To the offices of the Governors of [Alaska,] Hawaii, Puerto Rico, Guam, and the Virgin Islands, each, five copies in both daily and bound form.

FEDERAL REGISTER ACT (49 STAT. 500; 44 U.S.C., SEC. 308)

SEC. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an Act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States [(not including Alaska)] (*including Alaska*), except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of the Congress; or (b) not less than fifteen days when no time for publication is specifically prescribed by the Act, without prejudice, however, to the effectiveness of any notice of less than fifteen days where such shorter period is reasonable.

UNIVERSAL MILITARY TRAINING AND SERVICE ACT, AS AMENDED (62 STAT. 624; 50 U.S.C. APP., SEC. 466(b))

SEC. 16. (b) The term "United States", when used in a geographical sense, shall be deemed to mean the several States, the District of Columbia, [Alaska,] Hawaii, Puerto Rico, the Virgin Islands, and Guam.

ACT OF AUGUST 10, 1956 (70 A STAT. 636; 50 U.S.C. APP., SUPP. V, SEC. 2285(c))

SEC. 43. (c) This section applies only to real property in the United States, [Alaska,] Hawaii, and Puerto Rico. It does not apply to real property for river and harbor projects or flood-control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

ACT OF MAY 4, 1956 (70 STAT. 133)

The Secretary of the Interior, as an aid in the settlement and development of the Territory of Alaska, for a period of five years after the approval of this Act, is authorized to construct campgrounds and parking areas, including necessary access roads thereto, and other public recreation-area facilities in Alaska and to maintain them pending their transfer to appropriate Territorial agencies and communities: * * *

[SEC. 2. There is hereby authorized to be appropriated the sum of \$100,000 per year for each of the fiscal years ending June 30, 1957, June 30, 1958, June 30, 1959, June 30, 1960, and June 30, 1961.]

ACT OF SEPTEMBER 7, 1957 (71 STAT. 629)

SEC. 3. The Board is hereby authorized to guarantee any lender against loss of principal or interest on any aircraft purchase loan made by such lender to any air carrier holding a certificate of public convenience and necessity issued by the Board (a) designated therein to be for local or feeder air service, or (b) providing for operations wholly within the Territory of Hawaii, or (c) providing for operations (the major portion of which are conducted either within Alaska or between Alaska and the United States) within the **Territory** *State* of Alaska (including service between Alaska and the United States, and between Alaska and adjacent Canadian territory), or (d) providing for operations within the Commonwealth of Puerto Rico (including service to the Virgin Islands and the Dominican Republic), or (e) providing for operations between Florida and the British West Indies (including service to Cuba), or (f) for the purpose of authorizing metropolitan helicopter service. Such guaranty shall be made in such form, on such terms and conditions, and pursuant to such regulations, as the Board deems necessary and which are not inconsistent with the provisions of this Act.

DEFENSE BASE ACT, AS AMENDED (55 STAT. 622; 42 U.S.C. 1651 AND THE FOLLOWING)

SEC. 1. (a) Except as herein modified, the provisions of the Longshoremen's and Harbor Workers' Compensation Act, as amended, shall apply in respect to the injury or death of any employee engaged in any employment—

(1) at any military, air, or naval base acquired after January 1, 1940, by the United States from any foreign government; or

(2) upon any lands occupied or used by the United States for military or naval purposes in any Territory or possession outside the continental United States (including **Alaska;** the Philippine Islands; the United States Naval Operating Base, Guantanamo Bay, Cuba; and the Canal Zone); or

(3) upon any public work in any Territory or possession outside the continental United States (including **Alaska;** the Philippine Islands; the United States Naval Operating Base, Guantanamo Bay, Cuba; and the Canal Zone), if such employee is engaged in employment at such place under the contract of a contractor (or any subcontractor or subordinate subcontractor with respect to the contract of such contractor) with the United States; but nothing in this paragraph shall be construed to apply to any employee of such a contractor or subcontractor who is engaged exclusively in furnishing materials or supplies under his contract;

* * * * *

(6) outside the continental United States **[or in Alaska or the Canal Zone]** by an American employer providing welfare or similar services for the benefit of the Armed Forces pursuant to appropriate authorization by the Secretary of Defense.

(b) As used in this section—

* * * * *

(3) the term "war activities" includes activities directly relating to military operations [.] ;

(4) the term "continental United States" means the States and the District of Columbia.

ACT OF MARCH 3, 1891 (26 STAT. 1093), AS AMENDED (16 U.S.C. 607)

In the States of *Alaska*, Colorado, Montana, Idaho, North Dakota, and South Dakota, Wyoming, New Mexico, and Arizona, [and the Territory of Alaska,] and the gold and silver regions of Nevada, California, Oregon, Washington, and Utah in any criminal prosecution or civil action by the United States for a trespass on such public timber lands or to recover timber or lumber cut thereon it shall be a defense if the defendant shall show that the said timber was so cut or removed from the timber lands for use in such State [or Territory] by a resident thereof for agricultural, mining, manufacturing, or domestic purposes under rules and regulations made and prescribed by the Secretary of the Interior and has not been transported out of the same, but nothing herein contained shall operate to enlarge the rights of any railway company to cut timber on the public domain. * * *

WAR HAZARDS COMPENSATION ACT, AS AMENDED (56 STAT. 1028; 42 U.S.C. 1701 AND THE FOLLOWING)

SEC. 101. (a) In case of injury or death resulting from injury—

(1) * * *

(2) to any person engaged by the United States under a contract for his personal services outside the continental United States [or in Alaska or the Canal Zone]; or

(3) to any person employed outside the continental United States [or in Alaska or the Canal Zone] as a civilian employee paid from nonappropriated funds administered by the Army and Air Force Exchange Service, Army and Air Force Motion Picture Service, Navy Ship's Store Ashore, Navy exchanges, Marine Corps exchanges, officers' and noncommissioned officers' open messes, enlisted men's clubs, service clubs, special service activities, or any other instrumentality of the United States under the jurisdiction of the Department of Defense and conducted for the mental, physical, and morale improvement of personnel of the Department of Defense and their dependents; or

(4) * * *

(5) to any person employed or otherwise engaged for personal services outside the continental United States [or in Alaska or the Canal Zone] by an American employer providing welfare or similar services for the benefit of the Armed Forces pursuant to appropriate authorization by the Secretary of Defense.

* * * * *

SEC. 104. * * *

(c) *The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State.*

SEC. 105. * * *

(f) *the term "continental United States" means the States and the District of Columbia.*

**TITLE III OF THE ACT OF MARCH 3, 1933 (47 STAT. 1520;
41 U.S.C. 10c)**

SEC. 1. When used in this title—

(a) The term “United States”, when used in a geographical sense, includes the United States and any place subject to the jurisdiction thereof;

(b) The terms “public use”, “public building”, and “public work” shall mean use by, public building of, and public work of, the United States, the District of Columbia, Hawaii, [Alaska,] Puerto Rico, American Samoa, the Canal Zone, and the Virgin Islands.

APPENDIX

LEGISLATIVE PRECEDENTS FOR GRANTS OF FEDERAL PROPERTY TO NEWLY ADMITTED STATES OF THE UNION

There is established precedent for legislation authorizing the Federal Government to transfer property to newly admitted States of the Union without requiring the payment of consideration in exchange for the property.

Such provisions for grants have been made in enabling acts related to admission of the State and in statutes enacted after admission of the States.

I. GRANTS UNDER ENABLING ACTS

(See list of enabling acts containing provisions for the grant of Federal funds, property, and personal property to the States, ff.)

Since 1859 enabling acts have included provisions for grants of Federal property to 15 States at the time of admission to the Union.

An example of such acts is one enacted on behalf of the State of Idaho (Public Law 199, 51st Congress, July 3, 1890; 26 Stat. 215, ch. 656). The law provided for the donation to the State of land, money, and personal property used by the Federal Government in the administration of the Territory, as follows:

Land grants

(1) Grants of two sections or equivalent property in every township for the support of schools.

(2) A grant of 50 sections of unappropriated public lands for the purpose of erecting public buildings for the State government.

(3) Payment to the State of 5 percent of proceeds of public lands sold by the Federal Government subsequent to admission, such funds to be used for public schools.

(4) Provision for vesting of lands previously granted under an earlier statute, the proceeds of sale to be used for university purposes.

(5) Grant of 90,000 acres of land for the use and support of an agricultural college.

(6) Additional grants of land for a scientific school, for State normal schools, for support and maintenance of an insane asylum, for support and maintenance of a penitentiary, and 150,000 acres for other State, charitable, educational, penal, and reformatory institutions.

Money payments

The sum of \$28,000 for expenses of the constitutional convention and for the payment of members thereof in the same manner as payments for Territorial legislatures.

Federal property used for Territorial administration

The act provided for the donation to the State of Idaho of the penitentiary at Boise City, Idaho, and all lands set apart and reserved for the institution and, also, the personal property of the United States—

now being in the Territory of Idaho, which has been in use in the said territory in the administration of the territorial government, including books and records and the property used at the constitutional convention. * * *

II. GRANTS BY LEGISLATION ENACTED SUBSEQUENT TO ADMISSION OF THE STATE

In the case of admission of eight other States to the Union, legislation has been enacted subsequent to admission which provided for the transfer by the Federal Government to the new States of lands and personal property. (A list of these acts is attached.)

Land was granted by such statutes to—

Kansas: For aid in the construction of railroads and telegraphs (12 Stat. 772; Public Law 77, 37th Cong.).

Nevada: For university purposes (14 Stat. 85; Public Law 97, 39th Cong.).

Colorado: For schools (20 Stat. 317; Public Law 48, 45th Cong.).

Personal property was granted as follows:

South Dakota and North Dakota (26 Stat. 675; Public Res. No. 26, 51st Cong.).

Papers, books, records, fixtures, furniture, and all other personal property used in the administration of the Territorial government.

Washington and Montana (26 Stat. 668; Public Res. No. 6, 51st Cong.): Fixtures, furniture, and so forth, used by the constitutional conventions and the legislative, executive, and judicial departments of the government of the late Territories.

Utah (29 Stat. 461; Public Res. 6, 54th Cong.): The Federal Government was authorized to—

deliver to the then Governor and Secretary of the State of Utah * * * the safes, desks, and all furniture and fixtures of their respective offices and all property of like character.

ENABLING ACTS SINCE 1859 CONTAINING PROVISIONS GRANTING FEDERAL FUNDS, PROPERTY, AND PERSONAL PROPERTY TO STATES

State	Citation to act	Pertinent sections; remarks
Oregon-----	Feb. 14, 1859—11 Stat. 383-384-----	Sec. 4.
Kansas-----	Jan. 29, 1861—12 Stat. 126-128-----	Sec. 3.
Nevada-----	Mar. 21, 1864—13 Stat. 30-32; Oct. 31, 1864—13 Stat. 749, No. 22.	Sees. 7, 8, 9, and 10.
Nebraska-----	Apr. 14, 1864—13 Stat. 47-50; Feb. 9, 1867—14 Stat. 391-392; Mar. 1, 1867—14 Stat. 820, No. 9.	Sees. 7, 8, 9, 10, 11, and 12.
Colorado-----	Mar. 3, 1875—18 Stat. 474-476; Aug. 1, 1876—19 Stat. 665.	Sees. 7, 8, 9, 10, 11, 12, and 13.
South Dakota-----	Feb. 22, 1889—25 Stat. 676-684; Nov. 2, 1889—26 Stat. 1549-1551.	Sees. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 affected South Dakota, North Dakota, Montana, and Washington.
North Dakota-----	Feb. 22, 1889—25 Stat. 676-684; Nov. 2, 1889—26 Stat. 1548-1549.	
Montana-----	Feb. 22, 1889—25 Stat. 676-684; Nov. 8, 1889—26 Stat. 1551-1552.	
Washington-----	Feb. 22, 1889—25 Stat. 676-684; Nov. 11, 1889—26 Stat. 1552-1553.	
Idaho-----	July 3, 1890—26 Stat. 215-219-----	Sees. 4, 5, 6, 7, 8, 9, 10, 11, and 15.
Wyoming-----	July 10, 1890—26 Stat. 222-226-----	Do.
Utah-----	July 16, 1894—28 Stat. 108-112; Jan. 4, 1895—29 Stat. 876, No. 9.	Sees. 6, 7, 8, 9, 10, and 12.
Oklahoma-----	June 16, 1906—34 Stat. 267-278; Nov. 16, 1907—35 Stat. 2160-2161.	Sees. 5, 7, 8, 9, 11, and 12.
Arizona-----	June 20, 1910—36 Stat. 568-579; Aug. 21, 1911—37 Stat. 39-40; Feb. 14, 1912—37 Stat. 1728.	Sees. 6, 7, 9, and 10.
New Mexico-----	June 20, 1910—36 Stat. 557-568; Aug. 21, 1911—37 Stat. 39-43; Jan. 6, 1912—37 Stat. 1723.	Sees. 24, 25, 27, and 28.

ACTS, CLOSELY FOLLOWING ENABLING ACTS, GRANTING LAND AND
PROPERTY TO STATES

(1) Kansas—12 Stat. 772, ch. 98; Public Law 77, 37th Congress, March 3, 1863: An act for a grant of lands to the State of Kansas, in alternate sections, to aid in the construction of certain railroads and telegraphs in said State.

(2) Nevada—14 Stat. 85, ch. 166; Public Law 97, 39th Congress, July 4, 1866: An act concerning certain lands granted to the State of Nevada. (Grants more land for university purposes.)

(3) Colorado—20 Stat. 317, ch. 96; Public Law 48, 45th Congress, February 24, 1879: An act donating to the board of education of school district No. 1, Arapahoe County, Colo., block No. 143, in the east division of the city of Denver, Colo., for common-school purposes.

(4) South Dakota and North Dakota—26 Stat. 675, Pub. Res. No. 26; 51st Congress, June 21, 1890: Joint resolution providing for donation of certain personal property of United States to South Dakota and North Dakota. (“* * * papers, books, records, fixtures, furniture and all other personal property * * * used in the administration of the Territorial Government * * *”)

(5) Washington and Montana—26 Stat. 668, Pub. Res. No. 6, 51st Congress, January 10, 1890: Joint resolution donating fixtures, furniture, and so forth to the States of Washington and Montana. (“* * * used by the Constitutional Conventions and the Legislative, Executive and Judicial Departments of the Government of the late Territories * * *”)

(6) Utah—29 Stat. 461, Pub. Res. 6, 54th Congress, January 4, 1896: Joint resolution to transfer certain offices of the United States in the Territory of Utah to the officers of the State of Utah. (“* * * to deliver to the then Governor and Secretary of the State of Utah * * * the safes, desks and all furniture and fixtures of their respective offices and all property of like character * * *”)

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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Issued May 29, 1959
For actions of May 28, 1959
86th-1st, No. 87

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HIGHLIGHTS: Senate committee reported agricultural appropriation bill, to be debated Mon. Senate passed Treasury-Post Office appropriation bill. Sen. Stennis opposed limiting price support payments to farmers. House passed Commerce appropriation bill. Sen. Bush introduced and discussed bill to establish uniform cost-sharing for water projects.

SENATE

1. AGRICULTURAL APPROPRIATION BILL, 1960. The Appropriations Committee reported with amendments this bill, H. R. 7175 (S. Rept. 330). p. 8330

Representatives of the Department agencies have been advised in detail of the committee's actions on the estimates for the Department. Copies of the bill and committee report will be distributed directly to the agency budget offices, as soon as received, pursuant to a distribution list that has been worked out with the Department agencies. The agencies will receive the material at the same time this office will receive it. The material will not be distributed from this office. In general, copies should be obtained from the agency budget offices rather than from this office.

At the end of this Digest are a comparison of the Committee actions and excerpts from the committee report.

Sen. Johnson announced that this bill will be considered Mon., June 1 (pp. 8325, 8429). The bill was made the unfinished business. (p. 8440)

Sen. Stennis expressed his opposition to a provision in the bill, as reported by the Senate Appropriations Committee, "limiting to \$50,000 the total amount of price support which an individual producer could receive on the 1960 production of all agricultural commodities," and submitted an amendment he will propose to the bill which will "simply require the producer to repay all loans in excess of \$50,000 at the end of the marketing year." pp. 8429-30

2. D. C. APPROPRIATION BILL. Passed, 68 to 0, with amendments this bill, H. R. 5676 (pp. 8343, 8357-90, 8395-7, 8398). Agreed to an amendment by Sen. Morse to increase the appropriation by \$133,000 over the committee figure for D. C. school lunches (p. 8378). Conferees were appointed (p. 8398). House conferees have not yet been appointed.
3. TREASURY-POST OFFICE APPROPRIATION BILL. Passed, 53 to 3, with amendments this bill, H. R. 5805 (pp. 8400, 8403-23, 8425-9). Conferees were appointed (p. 8429). House conferees have not yet been appointed.
4. ALASKA. The Interior and Insular Affairs Committee reported with amendments S. 1541, to amend certain laws of the U. S. in light of the admission of Alaska (S. Rept. 331). p. 8330
5. WATERSHEDS. Received from the Budget Bureau plans for works of improvement for the following watersheds:
French Creek, Wash., and Marshland, Wash.; to Agriculture and Forestry Committee. p. 8327
Tobesofkee Creek, Ga., Big Blue, Ill., and Shoal Creek, Ill.; to Public Works Committee. p. 8328
6. WATER RESOURCES. Sen. Morse inserted a Christian Science Monitor article quoting from Secretary Benson's speech to the Sixth National Watershed Congress in which he urged conservation of our water resources, and Sen. Morse criticized the Secretary for not supporting construction of the Hells Canyon dam. pp. 8353-4
7. FOREIGN AID. Sen. Javits urged continuation of our foreign aid program, disagreed with the proposal by Sen. Mansfield to cut off certain foreign aid grants at the end of 3 years, and inserted several articles discussing the foreign aid program. pp. 8390-5
8. DAIRY PRICES. Sens. Wiley and Proxmire expressed concern over dairy prices in Wisc., and Sen. Wiley inserted an address by the editor of the Madison Capital Times contending that "the huge share of the Consumer's dollar that goes to the processor has been growing, that it increases the price of milk for the housewife, and seriously depresses the income of the dairy farmer." pp. 8402-3
9. FORESTRY. Received from the Calif. Legislature resolutions favoring enactment of legislation for a long-range program for the national forests, and the appropriation of sufficient funds to provide for preparation and placement of a full allowable cut in each working circle of each national forest in Calif. p. 8328
Received a Nev. Legislature resolution favoring enactment of legislation to establish a youth conservation corps to aid in conservation of natural resources. pp. 8329-30

86TH CONGRESS
1ST SESSION

S. 1541

[Report No. 331]

IN THE SENATE OF THE UNITED STATES

MARCH 25, 1959

Mr. MURRAY (for himself, Mr. ANDERSON, Mr. GOLDWATER, Mr. JACKSON, Mr. KUCHEL, and Mr. O'MAHONEY) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

[Omit the part struck through and insert the part printed in italic]

MAY 28, 1959

Reported by Mr. GRUENING, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Alaska Omnibus Act".

4 FEDERAL JURISDICTION

5 SEC. 2. (a) Section 4 of the Act of July 7, 1958 (72
6 Stat. 339), providing for the admission of the State of Alaska
7 into the Union, is amended by striking out the words "all such
8 lands or other property, belonging to the United States or
9 which may belong to said natives", and inserting in lieu

1 thereof the words "all such lands or other property (includ-
 2 ing fishing rights), the right or title to which may be held
 3 by said natives or is held by the United States in trust for
 4 said natives".

5 (b) Section 6(e) of said Act is amended by striking out
 6 the word "legislative" and inserting in lieu thereof the word
 7 "calendar".

8 TERMINATION OF APPLICATION OF CERTAIN FEDERAL
 9 LAWS

10 SEC. 3. Any Territorial law, as that term is defined in
 11 section 8(d) of the Act of July 7, 1958 (72 Stat. 339, 344),
 12 providing for the admission of the State of Alaska into the
 13 Union—

14 (a) which provides for the regulation of commerce
 15 within Alaska by an agency of the United States, and

16 (b) the application of which to the State of Alaska
 17 is continued solely by reason of such section 8(d),
 18 shall cease to apply to the State of Alaska on June 30,
 19 1961, or on the effective date of any law enacted by
 20 the Legislature of the State of Alaska which modifies or
 21 changes such Territorial law, whichever occurs first.

22 SUGAR ACT

23 SEC. 4. Section 101 of the Sugar Act of 1948, as
 24 amended (7 U.S.C., supp. V, sec. 1101), is further
 25 amended by adding thereto a new subsection, to be desig-
 26 nated subsection "(o)" and to read as follows:

1 “(o) The term ‘continental United States’ means the 49
2 States and the District of Columbia.”

3 SOIL BANK ACT

4 SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C.,
5 supp. V, sec. 1837), is amended to read as follows: “This
6 subtitle B shall apply to the continental United States, ex-
7 cept Alaska, and, if the Secretary determines it to be in the
8 national interest, to the State of Alaska, the Territory of
9 Hawaii, the Commonwealth of Puerto Rico, and the Virgin
10 Islands, and as used in this subtitle B, the term ‘State’ in-
11 cludes Hawaii, Puerto Rico, and the Virgin Islands.”

12 ARMED FORCES

13 SEC. 6. (a) Title 10, United States Code, section 101
14 (2), is amended by striking out the words “Alaska, Ha-
15 waii,” and inserting in lieu thereof the word “Hawaii”.

16 (b) Title 10, United States Code, sections 802(11)
17 and 802(12), are each amended by striking out the words
18 “that part of Alaska east of longitude 172 degrees west,”.

19 (c) Title 10, United States Code, section 2662(c), is
20 amended by striking out the word “Alaska,”.

21 NATIONAL BANK ACT

22 SEC. 7. Section 5192 of the Revised Statutes, as
23 amended (12 U.S.C. 144), is further amended by striking
24 out the words “in Alaska or”.

FEDERAL RESERVE ACT

SEC. 8. (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C. 221), is further amended by deleting the period at the end of such section and inserting in lieu thereof the following: “; the term ‘the continental United States’ means the States of the United States and the District of Columbia.”

(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C. 466), is further amended by striking the words “in Alaska or”.

HOME LOAN BANK BOARD

SEC. 9. (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1422 (3)), is further amended by striking out the words “Territories of Alaska and Hawaii” and inserting in lieu thereof the words “Territory of Hawaii”.

(b) Section 7 of the Home Owners’ Loan Act of 1933, as amended (12 U.S.C. 1466), is further amended by striking out the words “continental United States, to the Territories of Alaska and Hawaii” and inserting thereof the words “continental United States (including Alaska), to the Territory of Hawaii”.

NATIONAL HOUSING ACT

SEC. 10. The National Housing Act is amended by—

(a) striking out the word “Alaska,” in sections 9,

201 (d), 207 (a) (7), 601 (d), 713 (q), and 801 (g)
(12 U.S.C., secs. 1706d, 1707 (d), 1713 (a) (7),
1736 (d), 1747 1 (q) ; supp. V, sec. 1748 (g)) ;

(b) striking out the words “the Territory of
Alaska,” in section 207 (c) (2) (12 U.S.C., supp. V,
sec. 1713 (c) (2)), and inserting the word “Alaska” in
lieu thereof;

(c) by striking out the words “the Territory of
Alaska or in Guam” in section 214 (12 U.S.C., supp. V,
sec. 1715d; 48 U.S.C., supp. V, sec. 484d), and insert-
ing the words “Alaska, Guam,” in lieu thereof; and

(d) striking out the word “Territory” in the two
places where it appears in section 806 (12 U.S.C.,
supp. V, sec. 1748e), and inserting the word “State” in
lieu thereof.

COAST GUARD

SEC. 11. Title 14, United States Code, section 634 (b) ,
is amended by striking out the words “and for the territory
of” in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

SEC. 12. (a) Paragraph (6) of section 2 of the Securi-
ties Act of 1933, as amended (15 U.S.C. 77b (6)), is
further amended by striking out the word “Alaska,”.

(b) Paragraph (16) of section 3 (a) of the Securities
Exchange Act of 1934, as amended (15 U.S.C. 78c (a)

1 (16)), is further amended by striking out the word
2 “Alaska,”.

3 (c) Paragraph (18) of section 202 (a) of the Invest-
4 ment Advisers Act of 1940, as amended (15 U.S.C. 80b-2
5 (a) (18)), is further amended by striking out the word
6 “Alaska,”.

7 (d) Paragraph (37) of section 2 (a) of the Investment
8 Company Act of 1940, as amended (15 U.S.C. 80a-2 (a)
9 (37)), is further amended by striking out the word
10 “Alaska,”.

11 (e) Paragraph (1) of section 6 (a) of the Investment
12 Company Act of 1940, as amended (15 U.S.C. 80a-6 (a)
13 (1)), is further amended by striking out the word “Alaska,”.

14 SOIL CONSERVATION

15 SEC. 13. (a) Section 8 (b) of the Soil Conservation and
16 Domestic Allotment Act, as amended (16 U.S.C., supp. V,
17 sec. 590h (b)), is further amended by inserting, immediately
18 following the words “continental United States”, the words
19 “, except in Alaska”.

20 (b) Section 17 (a) of the Soil Conservation and Do-
21 mestic Allotment Act, as amended (16 U.S.C. 590q (a)),
22 is further amended by striking out the words “the United
23 States, the Territories of Alaska and Hawaii” and inserting
24 in lieu thereof the words “the States, the Territory of Ha-

1 waii", and by striking out the word "Alaska" the second time
2 it appears therein.

3 BALD EAGLES

4 SEC. 14. Section 1 of the Act of June 8, 1940 (16
5 U.S.C. 668), is amended by striking out the words "except
6 the Territory of Alaska,".

7 WILDLIFE RESTORATION

8 SEC. 15. Section 8 (a) of the Act of September 2, 1937,
9 as amended (16 U.S.C., supp. V, sec. 669g-1), is further
10 amended by striking out the words "the Alaska Game Com-
11 mission,", "said Territory of Alaska,", "not exceeding
12 \$75,000 for Alaska, and", and "the Territory of Alaska,".

13 FISH RESTORATION

14 SEC. 16. Section 12 of the Act of August 9, 1950, as
15 amended (16 U.S.C., supp. V, sec. 777k), is further
16 amended by striking out the words "the Alaska Game Com-
17 mission,", "said Territory of Alaska,", "not exceeding
18 \$75,000 for Alaska, and", and "the Territory of Alaska,".

19 CRIMINAL CODE

20 SEC. 17. (a) Title 18, United States Code, section
21 5024, is amended by striking out the words "other than
22 Alaska" and inserting in lieu thereof the words "including
23 Alaska".

24 (b) Section 6 of the Act of August 25, 1958 (72 Stat.

1 845, 847), is amended by striking out the words "other than
2 Alaska" and inserting in lieu thereof the words "including
3 Alaska".

4 (c) Subsections (a) and (b) of this section shall be
5 effective on July 7, 1961, or on the date of the Executive
6 order referred to in section 18 of the Act of July 7, 1958
7 (72 Stat. 339, 350), providing for the admission of the
8 State of Alaska into the Union, whichever occurs first.

9 (d) *Title 18 United States Code, section 1385, is*
10 *amended by deleting the last sentence thereof.*

11 EDUCATION

12 SEC. 18. (a) (1) Subsection (a) of section 103 of the
13 National Defense Education Act of 1958 (72 Stat. 1580,
14 1582), relating to definition of State, is amended by striking
15 out "Alaska," each time it appears.

16 (2) Paragraph (3) (B) of section 302 (a) of such
17 Act (72 Stat. 1580, 1588), relating to definition of conti-
18 nental United States for purposes of allotments for science,
19 mathematics and modern foreign language instruction equip-
20 ment, is amended by striking out "does not include Alaska"
21 and inserting in lieu thereof "includes Alaska".

22 (3) Section 1008 of such Act (72 Stat. 1580, 1605),
23 relating to allotments to territories, is amended by striking
24 out "Alaska,".

25 (b) (1) Section 4 of the Act of February 23, 1917

1 (20 U.S.C. 14), relating to allotments for teacher-training,
 2 is amended by striking out "\$90,000" and inserting in lieu
 3 thereof "\$98,500". The proviso in the last paragraph of
 4 section 5 of such Act (20 U.S.C. 16) and so much of section
 5 12 of such Act (20 U.S.C. 22) as follows the last semi-
 6 colon shall not be applicable to Alaska prior to the third
 7 fiscal year which begins after the enactment of this Act.

8 (2) Paragraph (1) of section 2 of the Vocational
 9 Education Act of 1946 (20 U.S.C. 15i), relating to defini-
 10 tion of States and Territories, is amended by striking out
 11 "the Territories of Alaska and Hawaii" and inserting in lieu
 12 thereof "the Territory of Hawaii".

13 (3) Subsection (e) of section 210 (20 U.S.C., supp.
 14 V, sec. 15 jj (e)), and subsection (a) of section 307 of such
 15 Act (72 Stat. 1580, 1600), relating to definition of State,
 16 are each amended by striking out "Alaska,".

17 (c) Paragraph (13) of section 15 of the Act of Septem-
 18 ber 23, 1950, as amended (72 Stat. 548, 558), relating to
 19 definition of State, is amended by striking out "Alaska,".

20 (d) (1) The material in the parentheses in the first sen-
 21 tence of subsection (d) of section 3 of the Act of September
 22 30, 1950, as amended, relating to determination of local
 23 contribution rate, is amended to read: "(other than a local
 24 educational agency in Hawaii, Puerto Rico, Wake Island,

1 Guam, or the Virgin Islands, or in a State in which a sub-
 2 stantial proportion of the land is in unorganized territory for
 3 which a State agency is the local educational agency) ”.

4 (2) The fourth sentence of such subsection is amended
 5 by inserting “ (including Alaska) ” after “continental United
 6 States” the first time it appears in such sentence. The fifth
 7 sentence of such subsection is amended by inserting “ (in-
 8 cluding Alaska) ” after “continental United States” the
 9 second time it appears in such sentence.

10 (3) The last sentence of such subsection is amended by
 11 striking out “Alaska,” and by inserting after “the Virgin
 12 Islands,” the following: “or in any State in which a sub-
 13 stantial proportion of the land is in unorganized territory for
 14 which a State agency is the local educational agency,”.

15 (4) Paragraph (8) of section 9 of such Act (20
 16 U.S.C., supp. V, sec. 244 (8)), relating to definition of
 17 State, is amended by striking out “Alaska,”.

18 IMPORTATION OF MILK AND CREAM

19 SEC. 19. Subsection (b) of section 9 of the Act of Feb-
 20 ruary 15, 1927 (21 U.S.C. 149 (b)), is amended by in-
 21 serting the words “, including Alaska” immediately follow-
 22 ing the words “continental United States”.

23 OPIUM POPPY CONTROL

24 SEC. 20. Section 12 of the Opium Poppy Control Act of
 25 1942 (21 U.S.C. 188k) is amended by deleting therefrom
 26 the words “the Territory of Alaska,”.

(b) Notwithstanding any other provision of this section,
any contract entered into by the Federal Government in
connection with the activities of the Bureau of Public Roads
in Alaska which has not been completed on the date of the

1 transfer provided under subsection (a) hereof may be com-
2 pleted according to the terms thereof.

3 (c) (1) The State of Alaska shall be responsible for the
4 maintenance of roads, including bridges, tunnels, and ferries,
5 transferred to it under subsection (a) of this section, as long
6 as any such road is needed for highway purposes.

7 (2) Federal-aid funds apportioned to Alaska under
8 title 23, United States Code, for fiscal year 1960 and prior
9 fiscal years, and unobligated on the date of enactment of
10 this Act, may be used for maintenance of highways on the
11 Federal-aid systems in Alaska.

12 (d) Effective July 1, 1959, the following provisions of
13 law are repealed:

14 (1) Title 23, United States Code, section 103 (f) ;

15 (2) Title 23, United States Code, section 116 (d) ;

16 (3) Title 23, United States Code, section 119 ;

17 (4) Title 23, United States Code, section 120 (h) ,
18 except that the portion of the first sentence thereof relating
19 to the percentage of funds to be contributed by Alaska shall
20 continue to apply to funds apportioned to Alaska for fiscal
21 year 1960 and prior fiscal years ;

22 (5) Sections 107 (b) and (d) of the Federal-Aid High-
23 way Act of 1956 (70 Stat. 374, 377, 378) ;

24 (6) Section 2 of the Act of January 27, 1905 (33 Stat.
25 616) , as amended (48 U.S.C. 322 and the following) ; and

1 (7) The Act of June 30, 1932 (47 Stat. 446), as
2 amended (48 U.S.C. 321 (a) and the following).

3 (e) Effective on July 1, 1959, the following provisions
4 of law are amended:

5 (1) The definition of the term "State" in title 23,
6 United States Code, section 101 (a), is amended to read as
7 follows:

8 "The term 'State' means any one of the forty-nine
9 States, the District of Columbia, Hawaii, or Puerto
10 Rico.";

11 (2) Title 23, United States Code, section 104 (b), is
12 amended by deleting the phrase "except that only one-third
13 of the area of Alaska shall be included" where it appears in
14 paragraphs (1) and (2) of said section 104 (b);

15 (3) Title 23, United States Code, section 116 (a), is
16 amended by deleting the phrase "except as provided in sub-
17 section (d) of this section," and by capitalizing the word
18 "it" immediately following such phrase; and

19 (4) Title 23, United States Code, section 120 (a), is
20 amended by deleting the phrase "subsections (d) and (h)"
21 and by inserting in lieu thereof the phrase "subsection (d)".

22 INTERNAL REVENUE

23 SEC. 22. (a) Section 2202 of the Internal Revenue
24 Code of 1954 (relating to missionaries in foreign service),
25 and sections 3121 (e) (1), 3306 (j), 4221 (d) (4), and

1 4233 (b) of such Code (each relating to a special definition
2 of "State") are amended by striking out "Alaska,".

3 (b) Section 4262 (c) (1) of the Internal Revenue Code
4 of 1954 (definition of "continental United States") is
5 amended to read as follows:

6 " (1) CONTINENTAL UNITED STATES.—The term
7 'continental United States' means the District of Colum-
8 bia and the States other than Alaska."

9 (c) Section 4502 (5) of the Internal Revenue Code
10 of 1954 (relating to definition of "United States") is
11 amended by striking out "the Territories of Hawaii and
12 Alaska" and by inserting in lieu thereof "the Territory of
13 Hawaii".

14 (d) Section 4774 of the Internal Revenue Code of
15 1954 (relating to territorial extent of law) is amended by
16 striking out "the Territory of Alaska,".

17 (e) Section 7621 (b) of the Internal Revenue Code of
18 1954 (relating to boundaries of internal revenue districts)
19 is amended to read as follows:

20 " (b) BOUNDARIES.—For the purpose mentioned in sub-
21 section (a), the President may subdivide any State, Terri-
22 tory, or the District of Columbia, or may unite into one
23 district two or more States or a Territory and one or more
24 States."

25 (f) Section 7653 (d) of the Internal Revenue Code of

1 1954 is amended by striking out "its Territories or posses-
2 sions" and inserting in lieu thereof "its possessions or the
3 Territory of Hawaii".

4 (g) Section 7701 (a) (9) of the Internal Revenue Code
5 of 1954 (relating to definition of "United States") is
6 amended by striking out "the Territories of Alaska and
7 Hawaii" and inserting in lieu thereof "the Territory of
8 Hawaii".

9 (h) Section 7701 (a) (10) of the Internal Revenue
10 Code of 1954 (relating to definition of State) is amended
11 by striking out "Territories" and inserting in lieu thereof
12 "Territory of Hawaii".

13 (i) The amendments contained in subsections (a)
14 through (h) of this section shall be effective as of January 3,
15 1959.

16 COURTS

17 SEC. 23. (a) Title 28, United States Code, section 48,
18 is amended by striking out the word "Seattle." and inserting
19 in lieu thereof the words "Seattle, Anchorage.". *The Judi-*
20 *cial Conference of the United States, with the assistance of*
21 *the Administrative Office of the United States Courts, shall*
22 *conduct a study, including a field survey, of the Federal*
23 *judicial business arising in the State of Alaska with a view*
24 *toward authorizing the United States Court of Appeals for*
25 *the Ninth Circuit to hold such terms of court in Anchorage*

1 *or such other Alaskan cities as may be necessary for the*
2 *prompt and efficient administration of justice.*

3 (b) Title 28, United States Code, section 81A, is
4 amended by inserting the word "Ketchikan," immediately
5 following the word "Juneau,".

6 (c) Such authority as has been exercised by the Attor-
7 ney General heretofore, with regard to the Federal court
8 system in Alaska, pursuant to section 30 of the Act of
9 June 6, 1900 (48 U.S.C. 25), shall continue to be exer-
10 cised by him after the court created by section 12 (b) of
11 the Act of July 7, 1958 (72 Stat. 339, 348), providing
12 for the admission of the State of Alaska into the Union, is
13 established.

14 (d) All balances of public moneys received by the
15 clerks of each division of the District Court for the Territory
16 of Alaska pursuant to section 10 of the Act of June 6, 1900,
17 as amended (48 U.S.C. 107), which are on hand after all
18 payments ordered by that court *and approved by the Ad-*
19 *ministrative Office of the United States Courts* shall have
20 been made, shall be covered into the Treasury of the United
21 States as required by law, and the Secretary of the Treasury
22 shall pay the amounts so covered, which are hereby appro-
23 priated, to the State of Alaska.

VOCATIONAL REHABILITATION ACT

SEC. 24. (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act (29 U.S.C., supp. V, sec. 41 (g)), relating to definition of State, is amended by striking out "Alaska,".

(b) (1) Subsection (i) and paragraph (1) of subsection (h) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(2) Paragraph (1) of such subsection (h) is further amended by striking out "Alaska,".

(3) Such subsection (i) is further amended by striking out "Hawaii and Alaska" in clause (B) and inserting in lieu thereof "Hawaii".

GOLD RESERVE ACT

SEC. 25. Section 15 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 444) , is further amended by striking out the words ", the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

1. SILVER PURCHASE ACT

2 SEC. 26. Section 10 of the Silver Purchase Act of 1934
3 (31 U.S.C. 448b), is amended by striking out the words
4 “, the District of Columbia, and the Territory of Alaska” and
5 inserting in lieu thereof the words “and the District of
6 Columbia”.

7. NATIONAL GUARD

8 SEC. 27. Title 32, United States Code, section 101 (1),
9 is amended by striking out the words "Alaska, Hawaii,"
10 and inserting in lieu thereof the word "Hawaii".

11 WATER POLLUTION CONTROL ACT

12 SEC. 28. (a) Paragraph (1) of section 5(h) of the
13 Federal Water Pollution Control Act (33 U.S.C., supp.
14 V, sec. 466d(h) (1)), relating to Federal share for pur-
15 poses of matching for program operation, is amended by
16 striking out “(excluding Alaska)” and inserting in lieu
17 thereof “(including Alaska)” and by striking out, in clause
18 (B), “and Alaska”.

(b) Subsection (d) of section 11 of such Act (33 U.S.C., supp. V, sec. 466j(d)), is amended by striking out “Alaska,”.

22 VETERANS' ADMINISTRATION

23 SEC. 29. (a) Title 38, United States Code, section
24 903 (b), is amended by striking out the words “, or to the
25 place of burial within Alaska if the deceased was a resident

1 of Alaska who had been brought to the United States as a
 2 beneficiary of the Veterans' Administration for hospital or
 3 domiciliary care"; by inserting the word "continental" im-
 4 mediately before the words "United States" the second time
 5 they appear in such section; and by inserting, immediately
 6 following the words "continental United States" in both
 7 places where they appear in such section, the parenthetical
 8 phase "(including Alaska)".

9 (b) Title 38, United States Code, section 2007 (c), is
 10 amended by striking out the word "Alaska,".

11 FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

12 SEC. 30. (a) Subsection (f) of section 3 of the Federal
 13 Property and Administrative Services Act of 1949 (40
 14 U.S.C. 472 (f)), is amended by striking out the words
 15 ", Hawaii, Alaska," and inserting in lieu thereof the words
 16 "(including Alaska), Hawaii,".

17 (b) Subsection (a) of section 702 of such Act (40
 18 U.S.C., supp. V, sec. 522 (a)), is amended by striking out
 19 the words "Territories of Alaska and Hawaii" and inserting
 20 in lieu thereof the words "Territory of Hawaii".

21 PUBLIC HEALTH SERVICE ACT

22 SEC. 31. (a) Subsection (f) of section 2 of the Public
 23 Health Service Act (42 U.S.C. 201 (f)), relating to
 24 definition of State, is amended by striking out "Hawaii,
 25 Alaska," and inserting in lieu thereof "Hawaii," and by

1 striking out “, the District of Columbia, or Alaska” and
2 inserting in lieu thereof “or the District of Columbia”.

3 (b) (1) Effective July 1, 1959, section 371 of the
4 Public Health Service Act, as added by the Alaska Mental
5 Health Enabling Act (42 U.S.C., supp. V, sec. 273), is
6 repealed.

7 (2) Subsection (a) of section 372 of such Act (42
8 U.S.C., supp. V, sec. 274 (a)), is amended by striking out
9 “the Territory of”.

10 (3) Subsections (b), (c), and (e) of such section
11 are each amended by striking out “the Territory” each time
12 it appears and inserting in lieu thereof “Alaska”.

13 (4) Such subsection (e) is further amended by striking
14 out “the Territory’s” and inserting in lieu thereof “Alaska’s”.

15 (c) (1) Subsection (a) of section 631 of such Act
16 (42 U.S.C., supp. V, sec. 291i (a)), relating to definition
17 of allotment percentage for purposes of allotments for con-
18 struction, is amended by striking out “(excluding Alaska)”
19 and inserting in lieu thereof “(including Alaska)” and by
20 striking out “for Alaska and Hawaii shall be 50 per centum
21 each” in clause (2) and inserting in lieu thereof “for Hawaii
22 shall be 50 per centum”.

23 (2) Subsection (d) of such section, relating to defini-
24 tion of State, is amended by striking out “Alaska,”.

1 SOCIAL SECURITY ACT

2 SEC. 32. (a) Paragraph (8) of section 1101 (a) of the
3 Social Security Act (72 Stat. 1013, 1050), relating to defi-
4 nition of Federal percentage for purposes of matching for
5 public assistance grants, is amended by striking out "Alaska
6 and" in clause (ii) of subparagraph (A) and by striking
7 out "(excluding Alaska)" in subparagraphs (A) and (B)
8 and inserting in lieu thereof "(including Alaska)".

9 (b) (1) Subsection (a) of section 524 of the Social Se-
10 curity Act (72 Stat. 1013, 1054), relating to definition of
11 allotment percentage for purposes of allotments for child
12 welfare services, is amended by striking out "50 per centum
13 in the case of Alaska and" in clause (B).

14 (2) Subsection (b) of such section, relating to definition
15 of Federal share for purposes of matching for child welfare
16 services, is amended by striking out "50 per centum in the
17 case of Alaska and" in clause (2).

18 (3) Such subsections (a) and (b), and subsection (c)
19 of such section, relating to promulgation of Federal shares
20 and allotment percentages, are each amended by striking out
21 "(excluding Alaska)" and inserting in lieu thereof "(includ-
22 ing Alaska)".

23 (c) (1) The last sentence of section 202 (i) of the Social
24 Security Act (42 U.S.C., supp. V, sec. 402 (i)), is amended

1 by striking out "forty-eight" and inserting in lieu thereof
2 "forty-nine".

3 (2) Subsections (h) and (i) of section 210 of such Act
4 (42 U.S.C. 410 (h), (i)), relating to definitions of State
5 and United States for purposes of old-age, survivors, and dis-
6 ability insurance, are each amended by striking out
7 "Alaska,".

8 (d) (1) Paragraph (1) of section 1101 (a) of the
9 Social Security Act (42 U.S.C., supp. V, sec. 1301 (a) (1)),
10 relating to definition of State, is amended by striking out
11 "Alaska, Hawaii," and inserting in lieu thereof "Hawaii".

12 (2) Paragraph (2) of such section (42 U.S.C.
13 1301 (a) (2)), relating to definition of United States, is
14 amended by striking out "Alaska,".

15 CONGRESSIONAL RECORD

16 SEC. 33. Section 73 of the Act of January 12, 1895, as
17 amended (44 U.S.C., supp. V, sec. 183), is further amended
18 by striking out the word "Alaska,".

19 FEDERAL REGISTER

20 SEC. 34. Section 8 of the Federal Register Act (44
21 U.S.C. 308) is amended by striking out the parenthetical
22 phrase "(not including Alaska)" and inserting in lieu
23 thereof the parenthetical phrase "(including Alaska)".

AIRPORTS

1
2 SEC. 35. (a) The Administrator of the Federal Aviation
3 Agency is authorized and directed to transfer to the State
4 of Alaska by appropriate conveyance, and subject to such
5 terms and conditions as he may deem appropriate, all the
6 right, title, and interest of the United States in and to the
7 public airports constructed and operated pursuant to the Act
8 of May 28, 1948, as amended (48 U.S.C. 485 and the
9 following), including all the land, buildings, structures, facili-
10 ties, equipment, and other personal property appurtenant
11 thereto and necessary for the operation thereof, except for
12 such property, real or personal, as the Administrator may
13 determine is needed for the performance of functions of the
14 United States in Alaska after such transfer. Such transfer
15 shall be without monetary consideration to the United States.

16 (b) Notwithstanding any other provisions of this section,
17 any contract entered into by the Federal Aviation Agency in
18 connection with its activities with respect to public airports
19 constructed and operated pursuant to the Act of May 28,
20 1948, as amended (48 U.S.C. 485 and the following), which
21 has not been completed by the date of enactment of this
22 Act, may be completed according to the terms thereof.

1.

2 SEC. 36. Section 16 (b) of the Universal Military Train-
3 ing and Service Act, as amended (50 U.S.C., app., sec.
4 466 (b)), is further amended by striking out the word
5 "Alaska,".

6

7 SEC. 37. Section 43 (c) of the Act of August 10, 1956
8 (50 U.S.C., app., supp. V, sec. 2285 (c)), is amended by
9 striking out the word "Alaska,".

10

11 SEC. 38. Section 2 of the Act of May 4, 1956 (70
12 Stat. 130), is hereby repealed. There are hereby author-
13 ized to be appropriated for the fiscal year ending June 30,
14 1960, such sums as may be necessary to complete the con-
15 struction of facilities described in section 1 of such Act, as
16 amended by the Act of August 30, 1957 (71 Stat. 510),
17 if construction was begun prior to June 30, 1959, and to
18 maintain the facilities pending their transfer pursuant to such
19 section.

20

21 SEC. 39. Section 3 of the Act of September 7, 1957
22 (71 Stat. 629), is amended by striking out the words
23 "Territory of Alaska" and inserting in lieu thereof the words
24 "State of Alaska".

DEFENSE BASE ACT

SEC. 40. (a) Paragraph (2) and (3) of section 1(a) of the Defense Base Act, as amended (55 Stat. 622; 42 U.S.C. 1651 and the following), are amended by striking out "Alaska;" in the parenthetical phrase in each paragraph.

(b) Paragraph (6) of section 1(a) of that Act is amended by striking out "or in Alaska or the Canal Zone".

(c) Section 1(b) of that Act is amended by striking the period at the end of paragraph (3), inserting in lieu thereof a semicolon, and adding the following paragraph: "(4) the term 'continental United States' means the States and the District of Columbia."

TIMBER REMOVAL

SEC. 41. The Act of March 3, 1891 (26 Stat. 1093), as amended (16 U.S.C. 607), is further amended by deleting the words "Territory of Alaska" and the words "or Territory" where they there appear and by inserting the word "Alaska," after the words "In the State of".

WAR HAZARDS COMPENSATION ACT

SEC. 42. (a) Paragraphs (2), (3), and (5) of section 101(a) of the War Hazards Compensation Act, as amended (56 Stat. 1028; 42 U.S.C. 1701 and the following are amended by striking out "or in Alaska or the Canal Zone".

1 (b) Section 104 of that Act is amended by adding the
2 following new subsection at the end thereof:

3 “(c) The provisions of this section shall not apply with
4 respect to benefits on account of any injury or death occur-
5 ring within any State.”

6 (c) Section 201 of that Act is amended by adding the
7 following new subsection at the end thereof:

8 “(f) the term ‘continental United States’ means the
9 States and the District of Columbia.”

10 *BUY AMERICAN ACT*

11 *SEC. 43. Section 1(b) of Title III of the Act of March*
12 *3, 1933 (41 U.S.C. 10c(b)), is amended by striking out*
13 *the word "Alaska,".*

14 TRANSITIONAL GRANTS

15 SEC. 44. (a) In order to assist the State of Alaska in
16 accomplishing an orderly transition from Territorial status
17 to statehood, and in order to facilitate the assumption by
18 the State of Alaska of responsibilities hitherto performed in
19 Alaska by the Federal Government, there are hereby au-
20 thorized to be appropriated to the President, for the purpose
21 of making transitional grants to the State of Alaska, the
22 sum of \$10,500,000 for the fiscal year ending June 30,
23 1960; the sum of \$6,000,000 for each of the fiscal years
24 ending June 30, 1961, and June 30, 1962; and the sum

1 of ~~\$2,500,000~~ \$3,000,000 for each of the fiscal years ending
2 June 30, 1963, and June 30, 1964.

3 (b) The Governor of Alaska may submit to the Presi-
4 dent a request that a Federal agency continue to provide
5 services or facilities in Alaska for an interim period, pend-
6 ing the provision of such services or facilities by the State
7 of Alaska. Such interim period shall not extend beyond
8 June 30, 1964. In the event of such request, and in the
9 event of the approval thereof by the President, the Presi-
10 dent may allocate, at his discretion, to such agency the funds
11 necessary to finance the provision of such services or facili-
12 ties. Such funds shall be allocated from appropriations made
13 pursuant to subsection (a) hereof, and the amount of such
14 funds shall be deducted from the amount of grants available
15 to the State of Alaska pursuant to such subsection.

16 (c) After the transfer or conveyance to the State of
17 Alaska of any property or function pursuant to the Act of
18 July 7, 1958 (72 Stat. 339), providing for the admission of
19 the State of Alaska into the Union, or pursuant to this
20 Act or any other law, and until June 30, 1964, the head
21 of the Federal agency having administrative jurisdiction of
22 such property prior to its transfer or conveyance may con-
23 tract with the State of Alaska for the performance by such
24 agency, on a reimbursable basis, of some or all of the func-

1 tions authorized to be performed by it in Alaska immedi-
 2 ately preceding such conveyance or transfer.

3 TRANSFER OF PROPERTY

4 SEC. ~~44~~ 45. (a) If the President determines that any
 5 function performed by the Federal Government in Alaska
 6 has been terminated *or curtailed* by the Federal Government
 7 and that performance of such function or substantially the
 8 same function has been or will be assumed by the State of
 9 Alaska, the President may, until July 1, 1964, in his discre-
 10 tion, transfer and convey to the State of Alaska, without
 11 reimbursement, any property or interest in property, real
 12 or personal, situated in Alaska which is owned or held by
 13 the United States in connection with such function.

14 (b) *Structures and improvements of block 32 of the city*
 15 *of Juneau granted to the State of Alaska by section 6(c) of*
 16 *the Act providing for the admission of Alaska into the Union*
 17 *(72 Stat. 339, 340), shall include all furnishings and equip-*
 18 *ment in the structure known as the Governor's mansion,*
 19 *or used in the operation or maintenance thereof.*

20 CLAIMS COMMISSION

21 SEC. ~~42~~ 46. (a) In the event that any disputes arise be-
 22 tween the United States and the State of Alaska *prior to*
 23 *January 1, 1965*, concerning the transfer, conveyance, or
 24 other disposal of property to the State of Alaska pursuant to
 25 section 6 (e) of the Act of July 7, 1958 (72 Stat. 339, 340),

1 providing for the admission of the State of Alaska into the
2 Union, or pursuant to this Act, the President is authorized
3 ~~to appoint a temporary commission of three persons to con-~~
4 ~~sider, ascertain, adjust, determine, and settle such disputes.~~
5 *(1) to appoint by and with the advice and consent of the Sen-*
6 *ate a temporary commission of three persons, to consider, as-*
7 *certain, adjust, determine, and settle such disputes, and (2) to*
8 *make such rules and regulations as may be necessary to estab-*
9 *lish such temporary commission or as may be necessary to*
10 *terminate such temporary commission at the conclusion of its*
11 *duties. In carrying out its duties under this section, such*
12 *commission may hold such hearings, take such testimony, sit*
13 *and act at such times and places, and incur such expenditures*
14 *as the commission deems necessary. Any settlement made*
15 *by such commission under the authority of this section shall*
16 *be final and conclusive for all purposes, notwithstanding any*
17 *other provision of law to the contrary. No commission shall*
18 *be appointed under authority of this subsection after June 30,*
19 *1965.*

20 (b) The commission may, without regard to the civil
21 service laws and the Classification Act of 1949, employ and
22 fix the compensation of such employees as it deems neces-
23 sary to carry out its duties under this section. The commis-
24 sion is authorized to use the facilities, information, and per-
25 sonnel of the departments, agencies, and establishments of

1 the executive branch of the United States Government which
2 it deems necessary to carry out its duties; and each such
3 department, agency, and instrumentality is authorized to
4 furnish such facilities, information, and personnel to the
5 commission upon request made by the commission. The
6 commission shall reimburse each such department, agency,
7 or instrumentality for the services of any personnel utilized.
8 *The commission may establish such procedures, rules, and*
9 *regulations as may be necessary to carry out its duties under*
10 *this section.*

11 (c) No member of such commission shall be an officer
12 or employee of the United States or of the State of Alaska.
13 *Any commissioner may be removed by the President for in-*
14 *efficiency, neglect of duty, or malfeasance in office. A*
15 *vacancy in the commission shall not impair the right of the*
16 *remaining commissioners to exercise all the powers of the com-*
17 *mission.* Each member of the commission shall be paid com-
18 pensation at the rate of \$50 per day for each day spent in the
19 work of the commission, shall be reimbursed for actual and
20 necessary travel expenses, and shall receive a per diem allow-
21 ance in accordance with the provisions of the Travel Expense
22 Act of 1949, as amended, when away from his usual place
23 of residence.

24 (d) ~~The President is authorized to make such rules and~~
25 ~~regulations as may be necessary to carry out the provisions~~

1 ~~of this section.~~ There are hereby authorized to be appro-
 2 priated such sums as may be necessary to enable the com-
 3 mission to perform its duties under this section.

4 EFFECTIVE DATES

5 SEC. ~~43~~ 47. (a) The amendments made by paragraph
 6 (2) of subsection (a) of section 18, by subsection (a) of
 7 section 28, by paragraph (1) of subsection (c) of section 31,
 8 by subsections (a) and (b) of section 32, and, except as pro-
 9 vided in subsection (c) of this section, by subsection (b) of
 10 section 24, shall be applicable in the case of promulgations
 11 of Federal shares, allotment percentages, allotment ratios,
 12 and Federal percentages, as the case may be, made after
 13 satisfactory data are available from the Department of Com-
 14 merce for a full year on the per capita income of Alaska, and
 15 for this purpose such promulgations shall, before such data
 16 for the full period required by the applicable statutory pro-
 17 vision as so amended are available from the Department of
 18 Commerce, be based on satisfactory data available from such
 19 Department for such one full year or, when such data for a
 20 two-year period are available, for such two years.

21 (b) The amendments made by paragraphs (1) and (3)
 22 of subsection (a) of section 18 shall be applicable, in the
 23 case of allotments under section 302 (b) or 502 of the
 24 National Defense Education Act of 1958, for fiscal years
 25 beginning July 1, 1959, and, in the case of allotments under

1 section 302 (a) of such Act, in the case of allotments based
2 on allotment ratios, promulgated under such section 302 (a),
3 to which the amendment made by paragraph (2) of sub-
4 section (a) of section 18 of this Act is applicable.

5 (c) (1) The allotment percentage determined for Alaska
6 under section 11 (h) of the Vocational Rehabilitation Act,
7 as amended by this Act, for the first, second, third, and
8 fourth years for which the amendments made by this Act
9 are applicable to such section shall be increased by 76 per
10 centum, 64 per centum, 52 per centum, and 28 per centum,
11 respectively, of the difference between such allotment per-
12 centage for the year involved and 75 per centum.

13 (2) The Federal share for Alaska determined under
14 section 11 (i) of the Vocational Rehabilitation Act, as
15 amended by this Act, for the first year for which the amend-
16 ments made by this Act are applicable to such section shall
17 be increased by 70 per centum of the difference between
18 such Federal share for such year and 60 per centum.

19 (3) If such first year for which such amendments made
20 by this Act are applicable is any fiscal year ending prior to
21 July 1, 1962, the adjusted Federal share for Alaska for
22 such year for purposes of section 2 (b) of the Vocational Re-
23 habilitation Act shall, notwithstanding the provisions of para-
24 graph (3) (A) of such section 2 (b), be the Federal share
25 determined pursuant to paragraph (2) of this subsection.

1 (d) The amendments made by paragraphs (2) and (3)
2 of subsection (b), by subsection (c), and by paragraph (4)
3 of subsection (d) of section 18; by subsection (a) of section
4 24; by subsection (b) of section 28; by subsection (a), by
5 subparagraphs (2), (3), and (4) of subsection (b), and by
6 paragraph (2) of subsection (c) of section 31; by para-
7 graph (2) of subsection (c) and by subsection (d) of sec-
8 tion 32; and, except as provided in subsection (b) of this
9 section by paragraph (1) of subsection (a) of section 18,
10 shall be effective on January 3, 1959.

11 (e) The amendment made by paragraph (1) of sub-
12 section (c) of section 32 shall apply in the case of deaths
13 occurring on or after January 3, 1959.

14 (f) The amendments made by paragraph (1) of sub-
15 section (b) and paragraphs (1), (2), and (3) of subsec-
16 tion (d) of section 18 shall be applicable for fiscal years
17 beginning July 1, 1959.

18 (g) *The amendments in sections 40 and 42 shall take*
19 *effect when enacted: Provided, however, That with respect to*
20 *injuries or deaths occurring on or after January 3, 1959,*
21 *and prior to the effective date of these amendments, claims*
22 *filed by employees engaged in the State of Alaska in any of*
23 *the employments covered by the Defense Base Act (and their*
24 *dependents) may be adjudicated under the Workmen's Com-*
25 *pensation Act of Alaska instead of the Defense Base Act.*

1 DEFINITION OF "CONTINENTAL UNITED STATES"

2 SEC. 44 48. Whenever the phrase "continental United
3 States" is used in any law of the United States enacted after
4 the date of enactment of this Act, it shall mean the 49
5 States on the North American Continent and the District of
6 Columbia, unless otherwise expressly provided.

7 OTHER SUBJECTS

8 SEC. 49. *The amendment by this Act of certain statutes*
9 *by deleting therefrom specific references to Alaska or such*
10 *phrases as "Territory of Alaska" shall not be construed to*
11 *affect the applicability or inapplicability in or to Alaska of*
12 *other statutes not so amended.*

13 SEPARABILITY

14 SEC. 45 50. If any provision of this Act, or the applica-
15 tion thereof to any person or circumstances, is held invalid,
16 the remainder of this Act, and the application of such pro-
17 vision to other persons or circumstances, shall not be affected
18 thereby.

86TH CONGRESS
1ST SESSION

S. 1541

[Report No. 331]

A BILL

To amend certain laws of the United States in
light of the admission of the State of Alaska
into the Union, and for other purposes.

By Mr. MURRAY, Mr. ANDERSON, Mr. GOLD-
WATER, Mr. JACKSON, Mr. KUCHEL, and Mr.
O'MAHONEY

MARCH 25, 1959

Read twice and referred to the Committee on Interior
and Insular Affairs

MAY 28, 1959

Reported with amendments

June 1, 1959

11. WATER RIGHTS. Received a Nev. Legislature resolution urging the enactment of legislation to provide that the States have primary responsibility for water resources within their boundaries. pp. 8449-50
12. RECLAMATION. A subcommittee of the Interior and Insular Affairs Committee ordered reported with amendments, on May 29, S. 281, to authorize Interior to construct a reregulating reservoir and other works at the Burns Creek Site in the upper Snake River Valley, Idaho. p. D414
Received from Interior a project proposal in the Jackson Valley Irrigation District, at Ione, Calif., under the Small Reclamation Projects Act of 1956; to Interior and Insular Affairs Committee. p. 8449
13. ADMINISTRATIVE ORDERS. Received from the Administrative Office of the U. S. Courts, D. C., a proposed bill "to provide for reasonable notice of applications to the U. S. courts of appeals for interlocutory relief against the orders of certain administrative agencies"; to Judiciary Committee. p. 8449
14. FOREIGN AID. Sen. Mansfield inserted and discussed amendments he intends to propose to S. 1451, the mutual security extension bill, to curtail certain grants under the program. pp. 8475-8
Sens. Young, Ohio, and Gruening urged greater economy in the foreign aid program. pp. 8478-80

HOUSE

15. ALASKA. Passed with amendments H. R. 7120, to amend certain laws of the U. S. in the light of admission of Alaska into the Union. pp. 8529-43
Agreed to an amendment by Rep. O'Brien which would limit the President's authority to transfer certain property to Alaska for airports, mental health, and highway construction and maintenance. pp. 8542-3
As passed, the bill includes sections defining Alaska's status under the following acts and subjects: Sugar Act, Soil Bank Act, Soil Conservation and Domestic Allotment Act, wildlife and fish restoration, importation of milk and cream, Water Pollution Control Act, Federal Property and Administrative Services Act, and timber removal.
16. FORESTRY. The Public Lands Subcommittee of the Interior and Insular Affairs Committee voted to report (but did not actually report) to the full committee H. R. 3682, to permit the processing of certain applications under the Small Tracts Act for lands included in the Caribou and Targhee National Forests by the act of August 14, 1958. p. D416
17. REORGANIZATION. Rep. McCormack asked and received consent that H. R. 5140, to extend for 2 years the Reorganization Act of 1949, be passed over without prejudice since it is scheduled for consideration tomorrow, June 2. p. 8520
18. LEGISLATIVE BRANCH APPROPRIATION BILL. Passed without amendment this bill, H. R. 7453. pp. 8525-9
19. PROPERTY. Passed as reported S. 900, to extend the authority of GSA to pay direct expenses in connection with the utilization of excess real property. p. 8520
20. ACCOUNTING; PERSONNEL. Passed without amendment H. R. 6134, to amend the Federal Employees Pay Act of 1945 so as to eliminate the authority to charge to certain current appropriations or allotments the gross amount of the salary earnings of Federal employees for certain pay periods occurring in part in previous fiscal years. pp. 8521-2

21. WATER. Received from the Oregon state legislature two memorials urging Congress to respect state and individual water rights. pp. 8543-4
Received from the Nevada Legislature a memorial urging legislation to define the waters originating on federally owned or controlled lands which contribute to flowing or moving surface or ground waters. p. 8553
22. INTEREST RATES. Rep. Patman criticized the Federal Reserve's Open Market Committee activities as "acting for and on behalf of Congress, not only when it determines interest rates but when it determines how much money and credit shall be available to business, farmers, and consumers ...," and attacked the "trickle down theory" which he associated with the Eisenhower Administration. pp. 8546-8
23. HOUSING. Received from the Comptroller General a report on the audit of the Federal Housing Administration, Housing and Home Finance Agency for fiscal year 1958 (H. Doc. 162). p. 8552
24. FARM PROGRAM. Received from the Texas Legislature a memorial relative to the role of the small farmer and small communities in preserving our way of life. p. 8553
25. SMALL BUSINESS LOANS TO FARMERS. Received from the Texas Legislature a memorial urging Congress and the President to request the executive and legislative departments to issue the necessary administrative ruling or to pass the necessary legislation making poultry, egg, hog, and milk producers eligible for loan from the Small Business Administration. p. 8553
26. FOOD COSTS. This office has received copies of a House Agriculture Committee print, "Food Cost Trends: A Compilation of Data Relating Consumer and Farm Prices of Food." In a foreward to the bulletin, Rep. Cooley stated that the study "shows the widening spread between the price the farmer receives and what the consumer pays, for food."

ITEMS IN APPENDIX

27. LIBRARY SERVICES. Extension of remarks of Sen. Hill expressing his "deep personal interest in improving and expanding library facilities ...," and stating that he is proud to have been the author in the Senate of the Library Services Act, and inserting an article on this subject. pp. A4581-3
28. FARM PROGRAM. Sen. Ervin inserted recent addresses by Sen. Symington and Sen. Hartke criticizing various programs of the administration, including the farm program. pp. A4583-4, A4587-8
Rep. Coad inserted Duane Orton's statement before the House Agriculture Subcommittee on Livestock and Feed Grains outlining his plan for the solution of the farm problem. pp. A4631-2
Rep. Green inserted a speech by Al Whitehouse, AFL-CIO, critical of labor standards, the administration of the surplus disposal program by this Department, and the increased expenditures for price support programs. pp. A4638-41
29. ELECTRIFICATION. Sen. Neuberger inserted an editorial, "Bonneville Corporation Fair To All." p. A4590
Extension of remarks of Sen. Kuchel opposing a proposal to have private development of the power facilities of the Central Valley project. pp. A4602-3

(H.R. 7453) making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. NORRELL. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

ALASKA OMNIBUS ACT

Mr. SMITH of Virginia. Mr. Speaker, I call up the resolution (H. Res. 279) providing for the consideration of H.R. 7120, a bill to amend certain laws of the United States in the light of the admission of the State of Alaska into the Union, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7120) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN], and I now yield myself such time as I may require.

Mr. Speaker, this rule makes in order the bill, H.R. 7120, which concerns the State of Alaska. It is a sort of omnibus bill to bring about the transition between the status of a Territory and that of statehood. Of course, there are a great many complications to a bill of that kind. I want to say that the Committee on Interior and Insular Affairs, and particularly its chairman, the gentleman from Colorado [Mr. ASPINALL], and the gentleman from New York [Mr. O'BRIEN], who engineered this nefarious Alaskan statehood bill through the House last year, have done a magnificent piece of work, in my judgment, in bringing about this transition in the bill that will be before us. I do not think there is anything controversial about this bill. I want to compliment the committee in

doing what I consider to be a rather economical job, much more economical than I had anticipated. Of course, you know as a Territory, Alaska required a good deal in the way of expenditures from the Federal Treasury. This bill provides for the transition period for the next 5 years. The calculations show that if it were run as a Territory, it would cost \$25 million in the next 5 years, but under this bill it will cost \$28,500,000 in the next 5 years. In other words, the difference over the next 5 years is \$3,500,000 in expenses. I know that is happy news to our good friend, the gentleman from Iowa [Mr. GROSS].

There is one feature of the bill which I think the committee ought to change, and I wish they would change it. When we passed the statehood bill for Alaska, I was very much opposed to the entire bill, and I was particularly opposed to a feature of the bill which gave such a tremendous proportion of the natural resources of that great area to the State of Alaska, which should belong to all of the people of the United States. There was a provision in the bill which was particularly objectionable to me because it gave for a certain period of years the right to the State of Alaska to go into any part of the land that was retained by the Federal Government and pick sections in blocks of not less than 6,000 acres. The result of that, as I saw it then, and as I see it now, is that whenever the mineral resources or any part of that great area of the earth surface are developed, then the State of Alaska can step in and take it as a part of the State rather than that land being a natural resource belonging to all of the States of the Union. In this bill, I find a little clause in the early part of the bill, which I do not think ought to be in the bill.

I think we have been generous with Alaska in the amount of territory and the amount of resources and the amount of land we have given her as a State.

On page 28 of the bill—and I think I talked to the chairman of the committee about it the other day when he appeared before the Rules Committee—section 45 authorizes the President in connection with any land or personal property up there that belong to the United States to give it to the State of Alaska in his discretion until 1964. I just think it is bad policy to authorize the President to give away property. You know, Congress gets paid pretty substantial salaries for doing those things itself, and we have delegated entirely too much authority, in my opinion, to the President and to the executive departments in many areas. This is just one more example of it. There should not be any clause in this bill to authorize the President of the United States to give away the property of the people of the United States. If there is going to be any giving away it should be done by the Congress. We had a bill under consideration the other day in which a similar clause was included, or one to the effect that not more than so many millions of dollars should be spent for the particular subject then under consideration “unless authorized by the Presi-

dent.” We ought to look out for that sort of thing. I hope that when the bill is read this provision will be modified.

In conclusion, I just want to compliment the committee for having done a splendid job. They have produced a good bill and I hope it will be adopted.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may use.

(Mr. BROWN of Ohio asked and was given permission to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, I would like to join the gentleman from Virginia [Mr. SMITH] in support of this rule, making this bill in order, an open rule providing for 1 hour of general debate. The rule was reported unanimously by the Rules Committee.

Somewhat facetiously let me say that great minds seemingly run in the same channel today. I was prepared to call attention to section 45 on page 28 of the bill, mentioned so ably and so well by the gentleman from Virginia. But I think there are also other sections of the bill that do the same thing.

Section 45 gives the President certain powers to transfer property, both real and personal, until the year 1964, to the State of Alaska. There is no fixed amount, there is no restrictive language, as far as I can ascertain, as to the amount that might be involved.

I am also informed that section 21 on page 11 gives almost the same power, as I understand, to the Secretary of Commerce in connection with highways.

Then, section 35, on page 23, gives approximately the same power to the Administrator of the Federal Aviation Agency in connection with real and personal property situated at the air bases in Alaska.

I discussed this matter with the gentleman from Pennsylvania, the ranking minority member of the committee, but not as thoroughly as I would like; and I hope that when this bill is considered in general debate and then read for amendment, some real consideration and discussion will take place of these particular sections, and that, if it is found necessary by the House, as appears to me might possibly happen, some new restrictive language can be written into these particular sections for the protection of the general tax-paying public of the United States.

We were told that when the Alaska statehood bill was before the Rules Committee that Alaska was ready to assume the responsibilities of statehood, and that there would be no need for additional financing on the part of the Federal Government; yet we realize that this transition period must be taken care of, and it is pretty well taken care of in this bill.

The additional expenditures, as the gentleman from Virginia [Mr. SMITH] pointed out, would amount to only about \$3,500,000 more in the next 5 years than if the territorial status had been continued. I hope that at the end of the 5 years there will be no further legislation required for expenditures from the Federal Treasury for the new State of Alaska, but instead that this new baby State, although the largest in the Union,

will be able to stand on its own feet at that time. As has been said so ably and so well, we were very generous, that is, the Congress and the people of the United States, to the new State of Alaska in the transfer of such huge amounts of lands, more than had ever been done for any other State, with the right, I believe, to select the areas the new State may want to take over, for 25 long years. Of course, no State administration, whether it be Democratic or Republican, is going to be silly enough or stupid enough to pick bad land when they make their selection. They are going to pick the richest land, the oil lands, the mineral lands, the most productive in money and in resources, as the State's property, and we are going to find, in my opinion, that the Federal Government, the rest of us who helped pay for Alaska in the first place, and who have poured millions and millions of dollars into Alaska as a Territory, will own only a lot of arctic waste, the mountain tops, the muskeg areas, and all other lands, which are the least valuable. So I believe we should give some thorough attention to these sections. I am hoping the committee will have some suggestions as to amendments to these three sections, sections 21, 35, and 45, which will protect the property interest of the American taxpaying public.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Illinois.

Mr. MASON. Do I understand, sir, that when we agreed to make Alaska into a State, we were more generous in giving to Alaska public lands than we have ever been to any other State? We now say we will even pay \$3½ million more than we would have paid if you were a territory to get the transfer done, and then we are saying in three sections: We will make it possible for the President, for the Secretary of Commerce, and some other people to give you more during the next few years? Is that the picture?

Mr. BROWN of Ohio. The gentleman from Illinois has made a proper statement. As I read these sections, I fear we will be giving Alaska, through these three sections 21, 35, and 45, more than the \$3½ million contemplated in the other sections.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Colorado.

Mr. ASPINALL. In my opinion, the question asked by the gentleman from Illinois, and the way it was put, does not call for the answer that my colleague, the gentleman from Ohio, has given, for the reason, that first of all, the legislation provides for a transition period of 5 years. At the end of the 5-year period it will stop, and Alaska then has to take over these activities without Federal help. These activities consist only in the following categories of operation: The airports at Anchorage and Fairbanks and the small airports which are now owned by the Federal Government and operated by the Federal Government throughout the rest of Alaska; also the highway system now operated by the Federal Government; also the Federal

health grant operation which we have had up there, and including the general health plan and the recreational plan. The recreational program amounts to only \$100,000 a year for the first 2 years and nothing thereafter. Those activities would be carried on if we did not do something like this at the expense of the Federal Government, continuing as a territorial operation. What we are doing here is stopping the whole operation by the Federal Government in these activities at the end of 5 years. In so doing we are giving to Alaska \$700,000 a year additional moneys in order to get this transition period taken care of.

Mr. MASON. Do I understand, then, that when we were so generous in giving public wealth away, in making Alaska a State, we did not take care of some of these expenses in this transition period?

Mr. ASPINALL. These are activities in which the Federal Government is presently engaged and has been for some years and will continue in the future to take care of if we do not go ahead and pass the necessary transitional legislation.

Mr. BROWN of Ohio. I want to get this matter clear in my own mind. This is a rather complex bill, somewhat controversial, and difficult to understand. Do I understand the gentleman to say that this \$3.5 million extra we will spend in the next 5 years would cover all the costs included in sections 21, 31, and 45?

Mr. ASPINALL. No; I did not say that.

Mr. BROWN of Ohio. Well, does the gentleman agree that the expenditures provided for, or grants in Federal aid or property, or whatever you call it, in sections 21, 31, and 45 would be in addition to the \$3.5 million?

Mr. ASPINALL. Oh no; I did not say that.

Mr. BROWN of Ohio. It has to be one or the other.

Mr. ASPINALL. What I said was this. Take, for instance, the operation of the airport at Anchorage. That is a Federal responsibility at the present time, and unless we pass legislation, it will continue as a Federal responsibility. Now, in order to take care of it as a State responsibility by the new State of Alaska, we appropriate approximately the same amount of money to Alaska for the next 5-year period that Alaska would get under the present law, and then at the end of 5 years we have no further Federal responsibility. In the meantime, we transfer, as the gentleman has so correctly said—I think it is in section 21—the land and the airport itself.

Mr. BROWN of Ohio. And all the equipment.

Mr. ASPINALL. And the equipment, which does not amount to very much, as I will attempt to show in general debate.

Mr. BROWN of Ohio. Can the chairman give us any estimate of the amount involved? That would be in addition to operating these other projects, as I understand page 3 of the report. It would be in addition to the extra \$3.5 million you ask. In other words, it would cost, if Alaska was still a Territory, approximately \$25 million to carry on these operations, or to carry on this work, or

whatever you want to call it, for 5 years, and under the bill it would cost \$28.5 million, only \$3.5 million more. In addition, at the end of the 5-year period, or at any time during that period, we give this additional property, to wit, the airport, the mental institution, and so forth, to the State free of charge, all on top of all they have already received as a new State.

Mr. ASPINALL. Which, as far as the airports, are concerned, is exactly in line with what the Federal Government has been doing for all of the States in recent years. The gentleman has asked for an itemized statement.

Mr. BROWN of Ohio. I did not ask for an itemized statement; I just requested an estimate of what the additional cost would be to the taxpayers. How much are we giving away in this section where it does not fix any amount?

Mr. ASPINALL. Knowing the interest of the gentleman from Virginia, the distinguished chairman of the committee, and my colleague from Ohio, also a member of the committee, I tried to get an itemized account since we appeared before the Committee on Rules. I was unable to get an itemized account. I do not have a definite statement of the present values, but I do have a general statement which I shall give as soon as we go into general debate.

Mr. BROWN of Ohio. Can the gentleman tell us quickly what the total amount will be?

Mr. ASPINALL. As far as the airports are concerned, I will be glad to answer. Involved in this section are the runways and the other land, airport structures which are excess to Federal needs, and airport equipment. And, remember that the Secretary must make a finding that these are excess to Federal needs, and this includes structures and equipment in excess of Federal needs.

Mr. BROWN of Ohio. But the gentleman failed to mention the amount. What is the total amount?

Mr. ASPINALL. I do not have the total amount, because the legislation came up from the Bureau of the Budget and they were unable to give it to me.

Mr. BROWN of Ohio. The gentleman has always been very fair and frank, and he always operates in good faith, and has never failed to give us any information he has, whether it is helpful to his cause or harmful. But, from the answers the gentleman has given, it appears the House is being asked to accept these sections without any knowledge as to their possible cost, or as to the amount of money that may be involved, or as to the value of the property that will be given away. And, that is what I object to. I think we should know what we are doing, fairly well; or at least have a reasonably good estimate as to costs.

Mr. ASPINALL. If the gentleman will yield for just one further observation, I thank my colleague, and as long as I am a Member of this body I will work in a spirit of honesty and sincerity with my colleague. What is involved here is that we cannot turn over the jurisdiction

and the operation of these facilities until we pass this legislation. In other words, the Federal Government must continue, if we do not pass such legislation as this. We have tried to get the information which my colleague has asked for. It is not available.

Mr. BROWN of Ohio. How long would it take to get it?

Mr. ASPINALL. My opinion is that it would take longer than the 29 days that are left, as far as this problem is concerned in Alaska. That is what is bothering me so much.

Mr. BROWN of Ohio. My only objection, and my whole point, is that we are being asked to write a blank check, as it were, to take this bill on faith. We do not know whether it is going to cost the people an additional \$1 million or \$10 million, or \$50 million, or what the amount will be.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield for just one more question?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. ASPINALL. Will my colleague wait until the gentleman from Colorado has a chance to present the information which he has on this particular matter before he makes up his mind definitely?

Mr. BROWN of Ohio. I certainly will. But still I would like to have an answer now to my question, and the gentleman does not seem to be able to answer that question. I would like to know what is going to be the approximate cost; even the gentleman's estimate would be helpful.

Mr. O'BRIEN of New York. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. O'BRIEN of New York. Mr. Speaker, I realize the concern that the gentleman from Ohio [Mr. BROWN] has about this. But he has repeatedly stated that the Federal Government is giving away something. I think we have to consider what value the Federal Government has in this, or what it would have if it kept these things. For example, if we turn over the maintenance of the highways and do not turn over rights-of-way, we cannot roll them up and bring them back to the States. There is the equipment for roadbuilding and the camps that the roadbuilders have been using. We have precedent particularly with airports. Since the 1944 Surplus Property Act, the Federal Government has transferred 550 surplus federally constructed airports to the States and their subdivisions without monetary consideration. The cost originally to the Federal Government of those airports was about \$1.5 billion.

Mr. BROWN of Ohio. I can understand that. Of course, I am not as well informed on Alaska as some of the other Members, but I just have a sort of a sneaking idea, just a country boy's belief, that somehow or other the Federal Government is going to continue to have a lot of airports up in Alaska as long as the world situation remains as it is; and it ought to continue to have. I just sort of have the idea that the Federal Government is going to be coming in

here asking for appropriations in the future to build other airports, maybe, up in Alaska, after we give these away. And if we should give the other equipment away to the new State, I have the idea that the Government will be asking more funds to buy roadbuilding machinery to use in some of the national parks, or some on the Federal lands of the Nation, after, of course, we give this present roadbuilding machinery to the new State.

All I am trying to do is find out what it is all going to cost us. I am so used to being hooked, and the people in Ohio are so used to having to pick up the check and pay the taxes for a lot of these things, that it seems to me we are at least entitled, before this is done to us, to know what it is going to cost; some estimate, some idea, some expression of thought. I do not want to be critical, but it seems that somewhere, somehow, somebody ought to have some idea what the cost of all this will be.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield further?

Mr. BROWN of Ohio. I yield.

Mr. ASPINALL. I have been handed a copy of the hearings. I did not get a copy of the hearings until this morning, I am sorry to say.

Mr. BROWN of Ohio. That is one of the troubles with legislating around here. We get a copy of the hearings after the bill has been passed.

Mr. ASPINALL. During the hearings, Mr. Quesada, who is the Administrator of the Federal Aviation Agency testified as follows:

These Anchorage facilities, with an allowance for depreciation, have a current capital value estimated at \$11,600,000.

The airport at Fairbanks has only one runway and a terminal building with associated utilities constructed by the Federal Government. At this location there are some 90,000 passengers served annually and approximately 55,000 aircraft arrivals and departures of which about 13,000 aircraft movements are air carrier aircraft, 7,500 military aircraft and 34,500 are general aviation type of aircraft. Allowing for depreciation the Fairbanks facility has a current capital value of about \$5.2 million.

These two airports are now collecting revenues of approximately \$1.1 million annually which are deposited in general funds of the Treasury of the United States as miscellaneous receipts.

Mr. BROWN of Ohio. That is about \$16 million.

Mr. ASPINALL. One further statement, if I may. With this transition the Federal Government reserves for its military aircraft the right to use these facilities whenever it is necessary to use them.

Mr. BROWN of Ohio. That is about \$16 million, as I understand it, worth of property from which about \$1 million of annual revenue is being received. That would be turned over in addition to the \$3.5 million. Of course, that does not include highway construction equipment nor does it include the cost of the hospital that we were talking about.

Mr. GROSS. What is this \$3½ million figure that the gentleman refers to?

Mr. BROWN of Ohio. It is on page 3 of the report. It is the difference between the cost of operating it as a State

or a Territory. You will find it on page 3 of the report.

Mr. GROSS. I thought it was \$28½ million over the next 5-year period.

Mr. BROWN of Ohio. It is, but it would cost \$25 million if we continued under a territorial status. So the net difference in the actual cost would be \$3½ million.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7120) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of H.R. 7120, with Mr. ANDERSON of Montana in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. O'BRIEN] is recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 30 minutes.

The Chair recognizes the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. ASPINALL].

(Mr. ASPINALL asked and was given permission to revise and extend his remarks.)

Mr. ASPINALL. Mr. Chairman, the purpose of the bill before us, H.R. 7120, is to provide for a smooth transfer of activities and responsibilities from the Federal Government to the Government of our new State of Alaska. We anticipated this legislation. It did not come to us as a surprise. It is not a simple bill. It contains 50 sections. It is involved, and, in varying degrees, cuts across lines of jurisdiction of several legislative committees: Agriculture, Armed Services, Banking and Currency, Education and Labor, Government Operations, Interstate and Foreign Commerce, Judiciary, Merchant Marine and Fisheries, Public Works, Veterans' Affairs, and Ways and Means.

This legislation was introduced at the request of the President of the United States. The Director of the Bureau of the Budget sent an executive communication and asked that a representative of the committee, of which I am chairman, introduce the legislation and that the committee act on it as expeditiously as possible. The fiscal year ends on June 30, 29 days from now. For the most part, the present budget does not include items of expenditure which are found in this bill. Unless action is taken on this bill promptly there will be a hiatus of operations until the next budg-

et is approved. The Government of Alaska cannot assume responsibility for these activities until they are relinquished by the Federal Government.

H.R. 7120 was prepared in the Bureau of the Budget after consultation with all agencies of the executive branch administering Federal statutes which were affected by the admission of Alaska into the Union. The bill deals with Federal-State relations and matters affecting the scope of Federal operations in Alaska. Some of the provisions may appear unimportant to many of us but their inclusions have been requested by different agencies of the Government.

Bills of a similar nature were acted upon by the Congress immediately following the admission of our last States, Oklahoma, Arizona, and New Mexico, into the Union. Those bills, however, were not so involved, because 50 years ago our Federal Government was less complicated, and not as involved in activities within State borders as it is today. Following enactment of organic legislation for Guam in 1950, and for the Virgin Islands in 1954, omnibus bills, somewhat similar in nature to H.R. 7120, were enacted by Congress. We expect to have an Hawaiian omnibus bill before Congress next year.

This is an important piece of legislation because it implements the act of July 7, 1958, which provided for admission of Alaska into the Union. Presently, for a number of practical purposes, Alaska is still operating as a Territory instead of a State. This bill transfers a number of activities to the State and makes applicable statutes to Alaska as a State rather than to Alaska as a Territory.

On April 2, 1959, as chairman of the Committee on Interior and Insular Affairs, I addressed letters to the chairmen of the previously mentioned House committees, inviting their attention to the bill and requesting such suggestions as they wished to offer. We are appreciative of the responses we received from those chairmen. Their suggestions were carefully considered and several were incorporated into the present bill. Others have been referred to the Bureau of the Budget for further analysis.

ANALYSIS OF H.R. 7120

The Bureau of the Budget sent the draftsman of this legislation, Dr. Harold Seidman, to the committee hearings as its spokesman. He presented a careful analysis of the bill which is found beginning on page 2 in Committee Report No. 369 which is available to all Members. The 50 provisions in the bill are broken down into 5 categories of which 3 are of significant importance.

In the first category, there are provisions which would make Alaska eligible to participate in a number of Federal grant-in-aid programs on a comparable basis with other States. Good examples are section 18 of this bill, which relates to grants-in-aid to education, and section 24, which refers to vocational rehabilitation. These and several other sections apply to Alaska the same apportionment and matching formulae that are applicable to other States.

Provisions in the second category are those which terminate special Federal programs in Alaska. Examples of these special programs are those referred to in section 21—highways, section 35—airports, and section 39—recreational facilities. The net Federal expenditures involved in category 2, if they are not discontinued, will be about \$10,260,000 in fiscal 1960. The President's budget carries no request for any of these activities except highway maintenance.

Sections in category 3 authorize various measures required to facilitate an orderly transition and include property transfers and transitional grants. These sections include 44(a)—dollar grants—and 46—Claims Commission.

Sections in the fourth and fifth categories contain perfecting amendments relative to the applicability of certain laws to the State of Alaska and the elimination of the appropriate reference to the Territory of Alaska instead of State of Alaska.

COST

Mr. Chairman, I know our colleagues are interested in the cost of this legislation. The total cost of this bill to the taxpayers of the United States over a 5-year period is \$28,500,000. Do not let this sum mislead you, however. Had Alaska remained a Territory, about \$25 million would have been expended over the 5-year period to operate and finance the activities which are being transferred. Therefore, the actual cost of this legislation is roughly \$3½ million, or \$700,000 a year. I call your attention to the cost analysis found on page 3 of our committee report. We can scale downward the anticipated appropriations for Alaska's special programs. There will be no appropriations for airport improvements after 1960, no appropriations for recreational facilities after 1961, and no appropriations for road maintenance after 1962.

I am not venturing to say that a saving will be represented to the U.S. Government after 1964 by the enactment of this legislation. Such a statement would be premature at this time.

Mr. Chairman, other members of the Committee on Interior and Insular Affairs will discuss other portions of this bill. I want to reiterate that this is sound legislation. It is necessary legislation and it is strongly backed by the administration. Dr. Seidman, representing the Bureau of the Budget, his assistant, and a representative of the Office of Territories, Department of the Interior, presented the bulk of the testimony for the administration at our extensive hearings. We also had testimony from the Acting Governor of Alaska, the Honorable Hugh J. Wade, and representatives of the Department of Commerce and the Federal Aeronautics Authority.

Mr. Chairman, three sections of H.R. 7120, the Alaska omnibus bill, would authorize the transfer to the State of Alaska of property now owned by the Federal Government:

First. Section 21 would authorize the Secretary of Commerce to transfer, without compensation but under conditions he deems desirable, all real and personal

property pertaining to the activities of the Bureau of Public Roads in Alaska, except such property as may be needed by the Bureau for its continuing functions in Alaska, and such property as the Federal Government may want to retain for purposes other than road purposes. While no inventory is yet available of the property contemplated for transfer under that section, generally involved are road right-of-ways, depots, maintenance camps, motor vehicles and road-building machinery, equipment, and materials which will be excess to Federal needs when the State takes over from the Federal Government the task of constructing and maintaining State roads.

Second. Section 35 would authorize the head of the Federal Aviation Agency to transfer, without compensation but under conditions he deems appropriate, all real and personal property pertaining to the Anchorage and Fairbanks Airports constructed under the act of May 28, 1948, except such property as may be needed for continuing Federal functions in Alaska. Generally involved under that section are the runways and other lands, airport structures which are excess to Federal needs, and airport equipment, including maintenance and emergency equipment, which is excess to Federal needs.

Third. Section 45 authorizes the President, until July 1, 1964, to transfer, without compensation, all real and personal property pertaining to any Federal function in Alaska which is terminated or curtailed and which is assumed by the State. At present it is contemplated that general authority would be used to transfer certain furnishings of the Governor's mansion, a few excess jail and marshals' properties, intermediate and primary airports, excess office equipment, and some fish and game management equipment, including boats and aircraft.

The justification for such transfers as are authorized in sections 21, 35, and 45 of the bill rests on the following points:

First. In each case, the State of Alaska is assuming a function heretofore the responsibility of the Federal Government. The State is thus relieving the Federal Government of certain burdens which will result in a saving to the United States.

Second. To enable the State to assume those responsibilities now, and to prevent the Federal responsibility from continuing indefinitely, it is necessary and practical to turn over to the State certain property used by the United States in the performance of those functions. If the property were not transferred it would probably be necessary to give the State further monetary grants to enable it to take over the functions. Even if the State were given necessary funds, it would be unable to purchase equipment and have it on hand in time to take over functions on or about July 1, 1959.

Third. No property is to be transferred unless it is excess to U.S. needs in Alaska and unless it relates to a function taken over by the State—other excess would continue to be disposed of under regular excess property procedures. The Federal Government will retain all prop-

erty needed for continuing Federal functions—for example, the Bureau of Public Roads will retain property and equipment necessary for its national forest highway program.

Fourth. It would be most difficult and costly to try to dispose of the excess property involved to someone other than the State. Much of it is useful only in connection with the functions being transferred. Insofar as the excess consists of real property in the form of roads, jails, airport runways, and the like, there is no other practical way of disposal than transfer to the State or some local public body.

Fifth. The highway equipment and properties to be transferred to the State were procured with funds made available to or contributed by Alaska under the Federal-Aid highway program or transferred from the Alaska Roads Commission when Alaska was first brought under the Federal highway program. Title to such property was vested in the United States only because the Bureau of Public Roads performed most of the functions of a territorial highway department. If Alaska had been treated as other States and Territories, title to these properties would have vested in Alaska from the very beginning.

Sixth. With respect to the transfer of Anchorage, Fairbanks and the intermediate airports, it should be noted that there is ample precedent for such transfers. Under the Surplus Property Act of 1944, the Federal Government has transferred some 550 surplus Federally constructed airports to the States and their subdivisions, without monetary consideration, but subject to certain terms and conditions. Those transferred airports originally cost the Federal Government about \$1,420 million to construct. It is contemplated that similar terms and conditions would be imposed in transferring the Alaska airports.

It might also be noted that the other States also benefit from donations of excess Federal property. Currently, excess property is being donated to the States at a rate of over \$340 million—in acquisition costs—a year for airports, wildlife conservation, park and recreational purposes, public health, education, and civil defense purposes. About 85 percent of that material is personal property. California alone received \$7.7 million worth of property in the first quarter of 1959; in the same period New York received \$6.2 million worth of property, Texas \$5.7 million and Virginia \$2.3 million.

I recommended expeditious House action on H.R. 7120.

Mr. SAYLOR. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, last year the 85th Congress considered the Alaska statehood bill and, as is always the case in important legislation before this body, there are those who were in favor of that bill and those who opposed it. According to the theory of government under which we operate, when the majority works its will we join forces and go forward. That is just what happened in this case. The majority of both the House and the Senate were in favor of admitting the 49th

State to the Union under certain terms and conditions. The people of Alaska in a free election indicated their approval of what the Congress had done. So Alaska has in law become the 49th State of the Union.

But it is necessary to have more than just a law to make Alaska a State in fact. It is necessary to have a law which will enable the people of Alaska to share with the citizens of the other States of the Union all of our laws. In the President's State of the Union Message in January of this year he stated one of the important things that would come before this present Congress was a bill to enable the new State of Alaska to become a State in fact. So today this bill is presented for your consideration as the result of a great deal of research work by the Bureau of the Budget, by the Department of the Interior, and by all of the related Federal agencies that appeared before our committee. This bill changes all of the existing Federal laws so that Alaska could become a State in fact as well as in law.

This bill will enable Alaska to participate in a number of Federal grant-in-aid programs on the basis of an equal with all of the other States. It will authorize the various measures required to facilitate the orderly transition, including property transfers and transitional grants to the State of Alaska.

On this point it seems that certain people feel that Alaska is receiving more favorable treatment than any other State in the Union. That, I do not believe, is a correct statement. It is certainly not the intention of the Bureau of the Budget to make such a recommendation, and it certainly is not the intention of our committee to allow the new State of Alaska to share on a more favorable basis than any other State.

The provisions of the three sections which have been referred to, sections 21, 35, and 45, do provide for transfer to the State of Alaska property now owned by the Federal Government. But it is important to note that none of this property can be transferred, either by the Secretary of Commerce, by the Federal Aviation Agency, or by the President, unless it is found to be in excess of the needs of the United States.

Let us look at some of the things that are here transferred. Right now all of the jails in the State of Alaska are being operated by the Federal Government. I do not know of anyone who would propose that we put up on the public auction block any cells up there so that they might be used by any private person, nor do I believe that anyone will propose that the jails be returned to the other States or Federal agencies for sale or disposal. Someone might suggest that is a rather ludicrous example to use, yet it is necessary to use such examples sometimes to point out just what this bill is trying to accomplish.

It is interesting to note that in the President's budget which was sent up early in January there are no provisions for carrying on any of the Federal functions that are included in this bill, beyond June 30, 1959. That is why time is of the essence. Unless this bill is passed by the House and the other body

and signed by the President before July 1, 1959, it will be necessary for the Appropriations Committee to make certain supplemental appropriations in order to carry on the functions of the Federal Government. There is nothing in the laws presently on the books that would permit their termination unless this bill is passed, therefore this bill becomes a matter of urgent necessity.

Some people believe it would be necessary and in the public interest to have the State of Alaska pay the fair value of these properties that are being turned over to it. I do not agree with that. It is important to note that when these properties are being turned over to the new State of Alaska, Alaska is giving up something. And, when you give up something to which you are entitled untitled under the law, there must be a consideration. The consideration here is the promise of a gift to the new State of Alaska if it is in excess of the needs of the Federal Government. This bill, while over a 5-year period will call for the expenditure of not more than \$3.5 million, will, in the long run, be a real saving to the people of the United States, because all of the agencies that are presently operated by the Federal Government will soon be operated by the new State of Alaska, just as they are in your own State.

Mr. Chairman, I urge that this bill be voted upon favorably.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Alaska [Mr. RIVERS].

(Mr. RIVERS of Alaska asked and was given permission to revise and extend his remarks.)

Mr. RIVERS of Alaska. Mr. Chairman, before proceeding with my remarks in favor of H.R. 7120, commonly referred to as the Alaska omnibus bill, I wish to take this opportunity of expressing a few thoughts which I consider to be of underlying significance.

I am here because the people of Alaska were granted statehood during the last session of this Congress. That grant of statehood was an historically significant achievement of the 85th Congress. After a lapse of 46 years since the admissions of Arizona and New Mexico in 1912, the grant of full citizenship rights to our fine citizens is Alaska sparked a widespread feeling of pride among the people of America because passage of the Statehood Act manifested the continuing vitality of the basic principles upon which our great Nation is founded, and added lustre, if you will, to the Government of the United States and our democratic institutions.

Statehood also carries with it other significant elements, foremost of which is the fact that the people of Alaska are not only grateful for their full rights as American citizens, but determined to shoulder their full share of the responsibility for promoting the strength and general welfare of our whole Union. Fortunately such loyalty is found in our new State because Alaska is the northwesterly bastion of our common defense, strategically located in the shadow of the Iron Curtain.

As more fully explained by the distinguished gentleman from Colorado, WAYNE ASPINALL, chairman of the Committee on Interior and Insular Affairs, the omnibus bill is before this body as a matter not only of convenience but of mutual necessity. In this modern industrial age involving complex relationships between the States and the Federal Government, it was virtually impossible to spell out all the transition details in the Statehood Act itself. That is the reason for this omnibus bill. The differences between the problem before us now and the transition steps which were necessary for Arizona and New Mexico, before the age of jet airplanes, international airports, a nationwide highway system, social security programs, and other modern developments, highlights the tremendous advances made by our Nation in the intervening 46 years.

Accordingly, H.R. 7120, under the auspices of the administration, acting through the Bureau of the Budget, with full cooperation by the House Committee on Interior and Insular Affairs, provides for the steps necessary to carry out an orderly transition from Alaska's former Territorial status to its present position as a State. Upon this phase I will speak only briefly as the subject matter has already been ably presented. I can best do this with some illustrations.

During the last 15 years the Federal Government has carried out a civil airport program in Alaska, a function which it does not perform anywhere else except at the National Airport serving Washington, D.C. Since the Federal Government is determined to get out of the civil airport business in Alaska, the new State has expressed willingness to take over that responsibility on the reasonable formula set forth in this omnibus bill. In the process of being accorded an equal footing with the other States, Alaska will also take over the highways within its boundaries—except national park roads—and will assume the added burden of highway maintenance under the terms set forth in this omnibus bill.

Other grant-in-aid programs in which Alaska already participates will, under this bill, be adjusted to put Alaska on the same basis as the other States. The transitional grants for which this bill provides, covering a period of the next 5 years, total \$28½ million, or approximately \$3 million more than the amount the Federal Government would otherwise spend if it continued during that period the operations which are being turned over to the new State. In addition to these money grants, certain road equipment and other facilities which will become excess property as far as the Federal Government is concerned, will be transferred free of charge to the State to effectuate the transition without any interruption of the public services involved.

Besides the functions which are to be transferred under this bill, the State will also establish its own system of

courts and take over the responsibility and cost of fish and wildlife management and control, and various other functions heretofore provided by the Federal Government at Federal expense. Thus, in due course the Federal Government will come out ahead financially, and the edifice of full State responsibility will be built on a sound foundation.

Before closing, I wish to express my high regard for the able and conscientious study and work done on this subject by Mr. Harold Seidman and other representatives of the Bureau of the Budget, and utmost appreciation of the sincere and brilliant work of the distinguished chairman of the Committee on Interior and Insular Affairs, Mr. ASPINALL, and of the very helpful work of our colleagues, the gentleman from New York [Mr. O'BRIEN], chairman of the subcommittee which held the hearings on the bill, and the gentleman from Pennsylvania [Mr. SAYLOR], the ranking minority member of the committee. In closing, and as the spokesman for my great State of Alaska, I voice full support of H.R. 7120 and urge its passage.

Mr. MOORE. Mr. Chairman, we have no further requests for time on this side.

Mr. O'BRIEN of New York. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I have no desire to prolong this discussion because obviously the distinguished chairman of the Committee on Rules has narrowed the issue here. He has stated, in his judgment, that he believes this bill should pass. He has been kind enough to suggest that the committee of which I have the honor to be a member has approached this whole problem in a conservative way.

I would like to say, though, that probably this bill is without precedent in the history of Congress because we have a striking demonstration in this rather bulky bill of how far the Federal Government has reached out into the affairs of all of us since the last States were admitted prior to Alaska, and that is why we have had to put so many things in this bill which were never even dreamed of when we admitted other States; such matters as aid for roads and airports—things of that sort.

I was in Alaska about 2 weeks ago, the first time I had gone there since 1955 and certainly the first time since Alaska was admitted as a State. I found the people there approaching their new and very heavy responsibilities soberly and conservatively. There are some growing pains, of course, because Alaska, in spite of its enormous size, is still an infant.

Mention has been made here of our generosity in dealing with the new State in the statehood bill, the enormous tracts of land which were made available to the new State. I do not propose to argue the value of those lands at this time, but I do think that we should again consider percentages as well. Even though it was more than 100 million acres of land, the Federal Government still retained two-thirds of all the land in Alaska, and the part retained by

the Federal Government includes some of the very richest land there. But that is entirely beside the point because I believe, and I agree with the gentleman from Illinois, that it was a generous gift.

I believe that within 10 years enormous wealth will flow from those grants, but today we have a situation where we have placed a large steak dinner before a child which has still to acquire its molars. None of that land is bringing in any revenue at this time, and it will be some time before any revenue comes in. So we have to bridge that gap, and that is what we are doing in this bill.

We believe that it is a sound, sensible bill, from the viewpoint of the Federal Government which in a sense gets out from under in many of these fields. We also believe, while it does not meet the full requests of the officials and the people of Alaska, it goes a long way toward meeting their needs.

Specifically, on the subject of the question which has been raised by several Members here, including the distinguished chairman of the Committee on Rules, personally I would have no objection to an amendment to the bill which would not hog-tie the new State and make futile the transfers we are making. Let us take this matter of airports. We know that the Federal Government has transferred to the States and the political subdivisions thereof \$1.5 billion worth of airports. So we are doing in Alaska what we have done in many places.

Then we get to the question of equipment for airports. Shall we just give them the runways and the bare buildings, or shall we give them the equipment there which will help operate those airports? I say that unless we give them that equipment, unless we give them the rights-of-way, the roads, and the equipment that our alternative might very well be a greater cost, because if we are to bridge for this new State the gap between early poverty and what I believe will be eventual riches, then we do have to provide for those things. And what is the alternative to the beat-up tractor on the road? It is to buy or provide the funds for buying new equipment. So, if the committee had not had some such provision here, the committee would have been forced to come to you, in all honesty, and as part of its responsibility, with a request for larger dollar grants.

You have a choice here between tractors and dollars, it seems to me. We also have, as the chairman of our full committee has said, a question of urgency where we are shortcutting the ordinary procedures not for the sake of shortcutting them and not for the sake of whitening down the power of the Congress, but because we are looking at a calendar that has July 1, 1959, in large, bold, red letters. So, as I say, if we can work out something here that will meet the objections raised by these distinguished gentlemen, and at the same time not deny this new State the tools which it must have, I certainly would be willing to accept it.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. ASPINALL. Is it not a fact that similar legislation was passed for the new States of Oklahoma, Arizona, and New Mexico when they were brought into the Union, and the only reason we did not have these large transfers of property and the grants, which are set forth in this legislation, is that they did not at that time have the Federal activities in those new States that we have had in Alaska for over 50 years as a Territory, and before that so far as an unincorporated Territory is concerned?

Mr. O'BRIEN of New York. The gentleman is very correct. We have in Alaska a peculiar problem because of size and also because the Federal Government has gone into fields that we did not dream the Federal Government would go into when the other States were being admitted into the Union. The question that bothers me in discussing this matter is—where would the savings be to the Federal Government if we deny this new State the equipment? What would we do with it? Well, I suppose we could sell it at public auction some place, but repeatedly we have had here before us examples of the Federal Government declaring personal property surplus, and then disposing of it to municipalities and to States. We are suggesting that we do the same thing here. The big difference is that because this is a new State and because this is an omnibus bill, we are coming in not with a particular type of surplus property, but we are coming in with property affecting roads, property affecting jails, property affecting health, and property affecting airports. So we are doing things on a bigger scale than we have done in the past. It is almost impossible to do anything in connection with Alaska without it being on a bigger scale because it is just so big itself and its problems are so big. But, I would like to conclude by saying my mind is open, provided that we do not accept here an amendment which will make a joke out of what we are trying to do. We cannot turn over just the airports and just the roads and just the responsibility for the hospitals without turning over the equipment that goes with it, and which is necessary to do the job, especially when that equipment and these tools are of no great value to the Federal Government unless they are employed in the way that we propose to employ them.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. SAYLOR. I concur in what the gentleman has said. I wish to impress this fact upon the committee that even if we gave Alaska money in this bill to purchase this equipment, they could not possibly purchase it and have it there to use on July 1 of this year.

Mr. O'BRIEN of New York. That is very true.

Mr. MUMMA. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. MUMMA. What is the nature of this equipment that you cannot get it now?

Mr. O'BRIEN of New York. Well, for example, there are tractors.

Mr. MUMMA. Life magazine had a full double page picture of all of this machinery, this stack of tractors out there that they are trying to sell, that is, the Caterpillar Co. I believe the best plan would be to give it to them. But, I do not like that statement that it cannot be obtained because I believe it can be.

Mr. O'BRIEN of New York. Oh, I think possibly with American ingenuity being what it is that might happen. But, I would hate to be the purchasing agent in charge of the roads out there when he would be told on the 5th of June or on the 10th or whenever this bill had run its course that he had to do all these things by the 1st of July.

Mr. MUMMA. He might try us and he would find us very easy.

Mr. O'BRIEN of New York. He probably would, but it is much easier to take the tractor which is already in operation up there and just drive it out of the shed. If the Federal Government were going to suffer a huge monetary loss by the transfer of this property, I would be against it. I think that by transferring it, we are employing the dollars we have invested in it in the best possible way.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. HALEY. As a matter of fact, it would cost just about as much to bring that tractor back, let us say, to the United States as it would cost for the tractor new, and you would still have a second-hand, used tractor here in the United States. So it would be better to give them this road-building equipment and let it stay up there, and if the Federal Government must have it, we might as well buy it here and get new equipment. In the long run, it certainly seems to me there would not be much difference.

Mr. O'BRIEN of New York. That is true. Everyone knows that one of the greatest problems and one of the greatest elements of cost in Alaska is transportation, and one reason why we have such fine steaks up there is because they figure if they have to fly them in, they might as well get the best.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. GROSS. Does the gentleman have any idea of the cost of the new commission that is to be created, called the Claims Commission, and which is to operate for 5 years?

Mr. O'BRIEN of New York. According to my understanding, the Commission would not meet every day but would serve only when a dispute was referred to it. Where we have dealings between a State and the Federal Government from time to time there are bound to be disputes. Alaska is now a sovereign State. In such disputes there should be an umpire.

True, the per diem allowance is \$50, but I doubt if it is going to run into any great deal of money; I would certainly hope not, but it seemed to the committee to be the best way to take care of disputes arising between the new State and the Federal Government.

Mr. GROSS. Is there no agency of Government with personnel already available to constitute this so-called Court of Claims?

Mr. O'BRIEN of New York. Yes; there doubtless is, but to use them would probably lead to political implications, especially where the State and the Federal Government should try to solve something and there were none but Federal employees on the Claims Commission.

As a matter of fact, I do not think this Commission is going to be very greatly used.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. HALEY. Actually, unless there were some dispute to be resolved they would not be called upon to function at all, and it should not take any great length of time to resolve such disputes as may arise.

Mr. O'BRIEN of New York. I think the gentleman is correct. I may say to the gentleman from Iowa that I think this will be less costly than any commission that could be set up here in Washington.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. PELLY. I want to express my support for this legislation. I think the committee has done the right thing in bringing in this bill and pushing it to passage. Certainly, it is very necessary legislation. Certainly, to try to salvage some money out of surplus Government equipment in Alaska would return very little to the taxpayers of the country. Some junk dealer might make a little profit out of it, but certainly I think the best thing to do is to transfer the material to Alaska. I think the committee has brought in proper legislation.

Mr. O'BRIEN of New York. I think the gentleman is so correct. If a rich uncle left me a hundred tractors in Alaska and I lived in New York I might be astonished to find that I had no inheritance whatsoever if I tried to bring them back to New York and dispose of them.

Mr. HALEY. Alaska is the only prospective purchaser of this equipment among the States. Not to let Alaska have it would save but little to the taxpayers and be of no help whatever to Alaska.

Mr. O'BRIEN of New York. The gentleman is correct.

Mr. Chairman, I yield back the balance of my time.

Mr. SAYLOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act may be cited as the "Alaska Omnibus Act."

FEDERAL JURISDICTION

SEC. 2. (a) Section 4 of the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, is amended by striking out the words "all such lands or other property, belonging to the United States or which may belong to said natives", and inserting in lieu thereof the words "all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives."

(b) Section 6(e) of said Act is amended by striking out the word "legislative" and inserting in lieu thereof the word "calendar."

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

SEC. 3. Any Territorial law, as that term is defined in section 8(d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union—

(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

(b) the application of which to the State of Alaska is continued solely by reason of such section 8(d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

SUGAR ACT

SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection "(o)" and to read as follows:

"(o) The term 'continental United States' means the forty-nine States and the District of Columbia."

SOIL BANK ACT

SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C., supp. V, sec. 1837), is amended to read as follows: "This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term 'State' includes Hawaii, Puerto Rico, and the Virgin Islands."

ARMED FORCES

SEC. 6. (a) Title 10, United States Code, section 101(2), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii."

(b) Title 10, United States Code, sections 802(11) and 802(12), are each amended by striking out the words "that part of Alaska east of longitude 172 degrees west,".

(c) Title 10, United States Code, section 2662(c), is amended by striking out the word "Alaska,".

NATIONAL BANK ACT

SEC. 7. Section 5192 of the Revised Statutes, as amended (12 U.S.C. 144), is further amended by striking out the words "in Alaska or."

FEDERAL RESERVE ACT

SEC. 8. (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C. 221), is further amended by deleting the period at the end of such section and inserting in lieu thereof the following: "; the term 'the continental United States' means the States of the United States and the District of Columbia."

(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C. 466), is further

amended by striking the words "in Alaska or".

HOME LOAN BANK BOARD

SEC. 9. (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1422(3)), is further amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii".

(b) Section 7 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1466), is further amended by striking out the words "continental United States, to the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "continental United States (including Alaska), to the Territory of Hawaii".

NATIONAL HOUSING ACT

SEC. 10. The National Housing Act is amended by—

(a) striking out the word "Alaska," in section 9, 201(d), 207(a) (7), 601(d), 713(q), and 801(g) (12 U.S.C., secs. 1706d, 1707(d), 1713(a) (7), 1756(d), 1747 1(q); supp. V, sec. 1748(g));

(b) striking out the words "the Territory of Alaska," in section 207(c) (2) (12 U.S.C., supp. V, sec. 1713(c) (2)), and inserting the word "Alaska" in lieu thereof;

(c) striking out the words "the Territory of Alaska or in Guam" in section 214 (12 U.S.C., supp. V, sec. 1715d, 48 U.S.C., supp. V, sec. 484d), and inserting the words "Alaska, Guam," in lieu thereof; and

(d) striking out the word "Territory" in the two places where it appears in section 806 (12 U.S.C., supp. V, sec. 1748e), inserting the word "State" in lieu thereof.

COAST GUARD

SEC. 11. Title 14, United States Code, section 634(b), is amended by striking out the words "and for the territory of" in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

SEC. 12. (a) Paragraph (6) of section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b(6)), is further amended by striking out the word "Alaska,".

(b) Paragraph (16) of section 3(a) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c(a) (16)), is further amended by striking out the word "Alaska,".

(c) Paragraph (18) of section 202(a) of the Investment Advisers Act of 1940, as amended (15 U.S.C. 80b-2 (a) (18)), is further amended by striking out the word "Alaska,".

(d) Paragraph (37) of section 2(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-2(a) (37)), is further amended by striking out the word "Alaska,".

(e) Paragraph (1) of section 6(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-6(a) (1)), is further amended by striking out the word "Alaska,".

SOIL CONSERVATION

SEC. 13. (a) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C., supp. V, sec. 590h(b)), is further amended by inserting, immediately following the words "continental United States", the words ", except in Alaska".

(b) Section 17(a) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590q(a)), is further amended by striking out the words "the United States, the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "the States, the Territory of Hawaii", and by striking out the word "Alaska" the second time it appears therein.

BALD EAGLES

SEC. 14. Section 1 of the Act of June 8, 1940 (16 U.S.C. 668), is amended by striking out the words "except the Territory of Alaska,".

WILDLIFE RESTORATION

SEC. 15. Section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

FISH RESTORATION

SEC. 16. Section 12 of the Act of August 9, 1950, as amended (16 U.S.C., supp. V, sec. 777k), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

CRIMINAL CODE

SEC. 17. (a) Title 18, United States Code, section 5024, is amended by striking out the words "other than Alaska" and in lieu thereof the words "including Alaska".

(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

(d) Title 18, United States Code, section 1385, is amended by deleting the last sentence thereof.

EDUCATION

SEC. 18. (a) (1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out "Alaska", each time it appears.

(2) Paragraph (3) (B) of section 302(a) of such Act (72 Stat. 1580, 1588), relating to definition of continental United States for purposes of allotments for science, mathematics, and modern foreign language instruction equipment, is amended by striking out "does not include Alaska" and inserting in lieu thereof "includes Alaska".

(3) Section 1008 of such Act (72 Stat. 1580, 1605), relating to allotments to Territories, is amended by striking out "Alaska,".

(b) (1) Section 4 of the Act of February 23, 1917 (20 U.S.C. 14), relating to allotments for teacher-training, is amended by striking out "\$90,000" and inserting in lieu thereof "\$98,500". The proviso in the last paragraph of section 5 of such Act (20 U.S.C. 16) and so much of section 12 of such Act (20 U.S.C. 22) as follows the last semicolon shall not be applicable to Alaska prior to the third fiscal year which begins after the enactment of this Act.

(2) Paragraph (1) of section 2 of the Vocational Education Act of 1946 (20 U.S.C. 151), relating to definition of States and Territories, is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(3) Subsection (e) of section 210 (20 U.S.C., supp. V, sec. 151j(e)), and subsection (a) of section 307 of such Act (72 Stat. 1580, 1600), relating to definition of State, are each amended by striking out "Alaska,".

(c) Paragraph (13) of section 15 of the Act of September 23, 1950, as amended (72 Stat. 548, 558), relating to definition of State, is amended by striking out "Alaska,".

(d) (1) The material in the parentheses in the first sentence of subsection (d) of section 3 of the Act of September 30, 1950, as amended, relating to determination of local contribution rate, is amended to read: "(other than a local educational agency in Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in a State in which a substantial proportion of the land is in un-

organized territory for which a State agency is the local educational agency)".

(2) The fourth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the first time it appears in such sentence. The fifth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the second time it appears in such sentence.

(3) The last sentence of such subsection is amended by striking out "Alaska," and by inserting after "the Virgin Islands," the following: "or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency.".

(4) Paragraph (8) of section 9 of such Act (20 U.S.C., supp. V, sec. 244(8)), relating to definition of State, is amended by striking out "Alaska,".

IMPORTATION OF MILK AND CREAM

SEC. 19. Subsection (b) of section 9 of the Act of February 15, 1927 (21 U.S.C., sec. 149(b)), is amended by inserting the words "including Alaska" immediately following the words "continental United States".

OPIUM POPPY CONTROL

SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C., sec. 188k), is amended by deleting therefrom the words "the Territory of Alaska,".

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer including services or functions performed pursuant to section 40 of this act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

(b) Notwithstanding any other provision of this section, any contract entered into by the Federal Government in connection with the activities of the Bureau of Public Roads in Alaska which has not been completed on the date of the transfer provided under subsection (a) hereof may be completed according to the terms thereof.

(c) (1) The State of Alaska shall be responsible for the maintenance of roads, including bridges, tunnels, and ferries, transferred to it under subsection (a) of this section, as long as any such road is needed for highway purposes.

(2) Federal-aid funds, apportioned to Alaska under title 23, United States Code, for fiscal year 1960 and prior fiscal years, and unobligated on the date of enactment of this act, may be used for maintenance of highways under the Federal-aid systems in Alaska.

(d) Effective July 1, 1959, the following provisions of law are repealed:

(1) Title 23, United States Code, sec. 103(f);

(2) Title 23, United States Code, sec. 116(d);

(3) Title 23, United States Code, sec. 119;

(4) Title 23, United States Code, sec. 120(h), except that the portion of the first

sentence thereof relating to the percentage of funds to be contributed by Alaska shall continue to apply to funds apportioned to Alaska for fiscal year 1960 and prior fiscal years;

(5) Sections 107 (b) and (d) of the Federal-Aid Highway Act of 1956 (70 Stat. 374, 377, 378);

(6) Section 2 of the Act of January 27, 1905 (33 Stat. 616), as amended (48 U.S.C., sec. 322 and the following); and

(7) The Act of June 30, 1932 (47 Stat. 446), as amended (48 U.S.C., sec. 321(a) and the following).

(e) Effective on July 1, 1959, the following provisions of law are amended:

(1) The definition of the term "State" in title 23, United States Code, section 101(a), is amended to read as follows: "The term 'State' means any one of the forty-nine States, the District of Columbia, Hawaii, or Puerto Rico.";

(2) Title 23, United States Code, section 104(b), is amended by deleting the phrase "except that only one-third of the area of Alaska shall be included" where it appears in paragraphs (1) and (2) of said section 104(b);

(3) Title 23 United States Code section 116(a) is amended by deleting the phrase "Except as provided in subsection (d) of this section" and by capitalizing the word "it" immediately following such phrase; and

(4) Title 23, United States Code, section 120(a), is amended by deleting the phrase "subsections (d) and (h)" and by inserting in lieu thereof the phrase "subsection (d)".

INTERNAL REVENUE

SEC. 22. (a) Section 2202 of the Internal Revenue Code of 1954 (relating to missionaries in foreign service), and sections 3121(c)(1), 3306(j), 4221(d)(4), and 4233(b) of such Code (each relating to a special definition of "State") are amended by striking out "Alaska,".

(b) Section 4262(c)(1) of the Internal Revenue Code of 1954 (definition of "continental United States") is amended to read as follows:

"(1) CONTINENTAL UNITED STATES.—The term 'continental United States' means the District of Columbia and the States other than Alaska."

(c) Section 4502(5) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Hawaii and Alaska" and by inserting in lieu thereof "the Territory of Hawaii".

(d) Section 4774 of the Internal Revenue Code of 1954 (relating to territorial extent of law) is amended by striking out "the Territory of Alaska,".

(e) Section 7621(b) of the Internal Revenue Code of 1954 (relating to boundaries of internal revenue districts) is amended to read as follows:

"(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite into one district two or more States or a Territory and one or more States."

(f) Section 7653(d) of the Internal Revenue Code of 1954 is amended by striking out "its Territories or possessions" and inserting in lieu thereof "its possessions or the Territory of Hawaii".

(g) Section 7701(a)(9) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(h) Section 7701(a)(10) of the Internal Revenue Code of 1954 (relating to definition of State) is amended by striking out "Territories" and inserting in lieu thereof "Territory of Hawaii".

(i) The amendments contained in subsections (a) through (h) of this section shall be effective as of January 3, 1959.

COURTS

SEC. 23. (a) Title 28, United States Code, section 48, is amended by striking out the word "Seattle," and inserting in lieu thereof the words "Seattle, Anchorage,".

(b) Title 28, United States Code, section 81A, is amended by inserting the word "Ketchikan," immediately following the word "Juneau,".

(c) Such authority as has been exercised by the Attorney General heretofore, with regard to the Federal court system in Alaska, pursuant to section 30 of the Act of June 6, 1900 (48 U.S.C. 25), shall continue to be exercised by him after the court created by section 12(b) of the Act of July 7, 1958 (72 Stat. 339, 348), providing for the admission of the State of Alaska into the Union, is established.

(d) All balances of public moneys received by the clerks of each division of the District Court for the Territory of Alaska pursuant to section 10 of the Act of June 6, 1900, as amended (48 U.S.C. 107), which are on hand after all payments ordered by that court and approved by the Administrative Office of the United States Courts shall have been made, shall be covered into the Treasury of the United States as required by law, and the Secretary of the Treasury shall pay the amounts so covered, which are hereby appropriated, to the State of Alaska.

VOCATIONAL REHABILITATION ACT

SEC. 24. (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act (29 U.S.C. supp. V, sec. 41(g)), relating to definition of State, is amended by striking out "Alaska,".

(b) (1) Subsection (i) and paragraph (1) of subsection (h) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(2) Paragraph (1) of such subsection (h) is further amended by striking out "Alaska,".

(3) Such subsection (i) is further amended by striking out "Hawaii and Alaska" in clause (B) and inserting in lieu thereof "Hawaii".

GOLD RESERVE ACT

SEC. 25. Section 15 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 444), is further amended by striking out the words "the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

SILVER PURCHASE ACT

SEC. 26. Section 10 of the Silver Purchase Act of 1934 (31 U.S.C. 448b) is amended by striking out the words "the District of Columbia and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

NATIONAL GUARD

SEC. 27. Title 32, United States Code, section 101(1), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii".

WATER POLLUTION CONTROL ACT

SEC. 28. (a) Paragraph (1) of section 5(h) of the Federal Water Pollution Control Act (33 U.S.C., supp. V, sec. 466 (h) (1)), relating to Federal share for purposes of matching for program operation, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out in clause (B), "and Alaska".

(b) Subsection (d) of section 11 of such Act (33 U.S.C., supp. V, sec. 466(d)) is amended by striking out "Alaska,".

VETERANS' ADMINISTRATION

SEC. 29. (a) Title 38, United States Code, section 903(b), is amended by striking out the words "or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care"; by inserting the word "continental" immediately before the words "United States" the second time they appear in such section; and by inserting immediately following the words "continental United States" in both places where they appear in such section, the parenthetical phrase "(including Alaska)".

(b) Title 38, United States Code, section 2007(c), is amended by striking out the word "Alaska."

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

SEC. 30. (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(f)), is amended by striking out the words "Hawaii, Alaska," and inserting in lieu thereof the words "(including Alaska), Hawaii,".

(b) Subsection (a) of section 702 of such Act (40 U.S.C., supp. V, sec. 522(a)), is amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii".

PUBLIC HEALTH SERVICE ACT

SEC. 31. (a) Subsection (f) of section 2 of the Public Health Service Act (42 U.S.C. 201(f)), relating to definition of State, is amended by striking out "Hawaii, Alaska," and inserting in lieu thereof "Hawaii," and by striking out "the District of Columbia, or Alaska" and inserting in lieu thereof "or the District of Columbia".

(b) (1) Effective July 1, 1959, section 371 of the Public Health Service Act, as added by the Alaska Mental Health Enabling Act (42 U.S.C., supp. V, section. 273), is repealed.

(2) Subsection (a) of section 372 of such Act (42 U.S.C., supp. V, sec. 274(a)) is amended by striking out "the Territory of".

(3) Subsections (b), (c), and (e) of such section are each amended by striking out "the Territory" each time it appears and inserting in lieu thereof "Alaska".

(4) Such subsection (e) is further amended by striking out "the Territory's" and inserting in lieu thereof "Alaska's".

(c) (1) Subsection (a) of section 631 of such Act (42 U.S.C., supp. V, sec. 291(a)), relating to definition of allotment percentage for purposes of allotments for construction, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out "for Alaska and Hawaii shall be 50 per centum each" in clause (2) and inserting in lieu thereof "for Hawaii shall be 50 per centum".

(2) Subsection (d) of such section, relating to definition of State, is amended by striking out "Alaska,".

SOCIAL SECURITY ACT

SEC. 32. (a) Paragraph (8) of section 1101(a) of the Social Security Act (72 Stat. 1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out "Alaska and" in clause (ii) of subparagraph (A) and by striking out "(excluding Alaska)" in subparagraphs (A) and (B) and inserting in lieu thereof "(including Alaska)".

(b) (1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (B).

(2) Subsection (b) of such section, relating to definition of Federal share for pur-

poses of matching for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (2).

(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares and allotment percentages, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(c) (1) The last sentence of section 202(i) of the Social Security Act (42 U.S.C., supp. V, sec. 402(i)), is amended by striking out "forty-eight" and inserting in lieu thereof "forty-nine".

(2) Subsections (h) and (i) of section 210 of such Act (42 U.S.C. 410(h), (i)), relating to definitions of State and United States for purposes of old-age, survivors, and disability insurance, are each amended by striking out "Alaska,".

(d) (1) Paragraph (1) of section 1101(a) of the Social Security Act (42 U.S.C., supp. V, sec. 1301(a)(1)), relating to definition of State, is amended by striking out "Alaska, Hawaii," and inserting in lieu thereof "Hawaii".

(2) Paragraph (2) of such section (42 U.S.C. 1301(a)(2)), relating to definition of United States, is amended by striking out "Alaska,".

CONGRESSIONAL RECORD

SEC. 33. Section 73 of the Act of January 12, 1895, as amended (44 U.S.C., supp. V, sec. 183), is further amended by striking out the word "Alaska,".

FEDERAL REGISTER

SEC. 34. Section 8 of the Federal Register Act (44 U.S.C., sec. 308), is amended by striking out the parenthetical phrase "(not including Alaska)" and inserting in lieu thereof the parenthetical phrase "(including Alaska)".

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or person, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), which has not been completed by the date of enactment of this Act, may be completed according to the terms thereof.

SELECTIVE SERVICE

SEC. 36. Section 16(b) of the Universal Military Training and Service Act, as amended (50 U.S.C. App. sec. 466(b)), is further amended by striking out the word "Alaska,".

REAL PROPERTY TRANSACTIONS

SEC. 37. Section 43(c) of the Act of August 10, 1956 (50 U.S.C. App. supp. V, sec. 2285(c)), is amended by striking out the word "Alaska,".

RECREATION FACILITIES

SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat. 130), is hereby repealed. There are hereby authorized to be appropri-

ated for the fiscal year ending June 30, 1960, such sums as may be necessary to complete the construction of facilities described in section 1 of such Act, as amended by the Act of August 30, 1957 (71 Stat. 510), if construction was begun prior to June 30, 1959, and to maintain the facilities pending their transfer pursuant to such section.

AIRCRAFT LOAN GUARANTEES

SEC. 39. Section 3 of the Act of September 7, 1957 (71 Stat. 629), is amended by striking out the words "Territory of Alaska" and inserting in lieu thereof the words "State of Alaska".

DEFENSE BASE ACT

SEC. 40. (a) Paragraph (2) and (3) of section 1(a) of the Defense Base Act, as amended (55 Stat. 622; 42 U.S.C. 1651 and the following), are amended by striking out "Alaska," in the parenthetical phrase in each paragraph.

(b) Paragraph (6) of section 1(a) of that Act is amended by striking out "or in Alaska or the Canal Zone".

(c) Section 1(b) of that Act is amended by striking the period at the end of paragraph (3), inserting in lieu thereof a semicolon, and adding the following paragraph: "(4) the term 'continental United States' means the States and the District of Columbia."

TIMBER REMOVAL

SEC. 41. The Act of March 3, 1891 (26 Stat. 1093), as amended (16 U.S.C. 607), is further amended by deleting the words "Territory of Alaska" and the words "or Territory" where they there appear and by inserting the word "Alaska," after the words "In the State of".

WAR HAZARDS COMPENSATION ACT

SEC. 42. (a) Paragraphs (2), (3), and (5) of section 101(a) of the War Hazards Compensation Act, as amended (56 Stat. 1028; 42 U.S.C. 1701 and the following) are amended by striking out "or in Alaska or the Canal Zone".

(b) Section 104 of that Act is amended by adding the following new subsection at the end thereof:

"(c) The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State."

(c) Section 201 of that Act is amended by adding the following new subsection at the end thereof:

"(f) the term 'continental United States' means the States and the District of Columbia."

BUY AMERICAN ACT

SEC. 43. Section 1(b) of Title III of the Act of March 3, 1933 (41 U.S.C. 10c(b)), is amended by striking out the word "Alaska,".

TRANSITIONAL GRANTS

SEC. 44. (a) In order to assist the State of Alaska in accomplishing an orderly transition from Territorial status to statehood, and in order to facilitate the assumption by the State of Alaska of responsibilities hitherto performed in Alaska by the Federal Government, there are hereby authorized to be appropriated to the President for the purpose of making transitional grants to the State of Alaska, the sum of \$10,500,000 for the fiscal year ending June 30, 1960; the sum of \$6,000,000 for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$3,000,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964.

(b) The Governor of Alaska may submit to the President a request that a Federal agency continue to provide services or facilities in Alaska for an interim period, pending the provision of such services or facilities by the State of Alaska. Such interim period shall not extend beyond June 30, 1964. In the event of such request, and in the event

of the approval thereof by the President, the President may allocate, at his discretion, to such agency the funds necessary to finance the provision of such services or facilities. Such funds shall be allocated from appropriations made pursuant to subsection (a) hereof, and the amount of such funds shall be deducted from the amount of grants available to the State of Alaska pursuant to such subsection.

(c) After the transfer or conveyance to the State of Alaska of any property or function pursuant to the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, or pursuant to this Act or any other law, and until June 30, 1964, the head of the Federal agency having administrative jurisdiction of such property prior to its transfer or conveyance may contract with the State of Alaska for the performance by such agency, on a reimbursable basis, of some or all of the functions authorized to be performed by it in Alaska immediately preceding such conveyance or transfer.

TRANSFER OF PROPERTY

SEC. 45. If the President determines that any function performed by the Federal Government in Alaska has been terminated or curtailed by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion, transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function.

CLAIMS COMMISSION

SEC. 46. (a) In the event that any disputes arise between the United States and the State of Alaska prior to January 1, 1965, concerning the transfer, conveyance, or other disposal of property to the State of Alaska pursuant to section 6(e) of the Act of July 7, 1958 (72 Stat. 339, 340), providing for the admission of the State of Alaska into the Union, or pursuant to this Act, the President is authorized (1) to appoint by and with the advice and consent of the Senate a temporary commission of three persons, to consider, ascertain, adjust, determine, and settle such disputes, and (2) to make such rules and regulations as may be necessary to establish such temporary commission or as may be necessary to terminate such temporary commission at the conclusion of its duties. In carrying out its duties under this section, such commission may hold such hearings, take such testimony, sit and act at such times and places, and incur such expenditures as the commission deems necessary. No commission shall be appointed under authority of this subsection after June 30, 1965.

(b) The commission may, without regard to the civil service laws and the Classification Act of 1949, employ and fix the compensation of such employees as it deems necessary to carry out its duties under this section. The commission is authorized to use the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the United States Government which it deems necessary to carry out its duties; and each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the commission upon request made by the commission. The commission shall reimburse each such department, agency, or instrumentality for the services of any personnel utilized. The commission may establish such procedures, rules, and regulations as may be necessary to carry out its duties under this section.

(c) No member of such commission shall be an officer or employee of the United States or of the State of Alaska. Each member of the commission shall be paid compensation

at the rate of \$50 per day for each day spent in the work of the commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance in accordance with the provisions of the Travel Expense Act of 1949, as amended, when away from his usual place of residence.

(d) There are hereby authorized to be appropriated such sums as may be necessary to enable the commission to perform its duties under this section.

EFFECTIVE DATES

SEC. 47. (a) The amendments made by paragraph (2) of subsection (a) of section 18, by subsection (a) of section 28, by paragraph (1) of subsection (c) of section 31, by subsections (a) and (b) of section 32, and, except as provided in subsection (c) of this section, by subsection (b) of section 24, shall be applicable in the case of promulgations of Federal shares, allotment percentages, allotment ratios, and Federal percentages, as the case may be, made after satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, and for this purpose such promulgations shall, before such data for the full period required by the applicable statutory provision as so amended are available from the Department of Commerce, be based on satisfactory data available from such Department for such one full year or, when such data for a two-year period are available, for such two years.

(b) The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958, for fiscal years beginning July 1, 1959, and, in the case of allotments under section 302(a) of such Act, in the case of allotments based on allotment ratios, promulgated under such section 302 (a), to which the amendment made by paragraph (2) of subsection (a) of section 18 of this Act is applicable.

(c) (1) The allotment percentage determined for Alaska under section 11(h) of the Vocational Rehabilitation Act, as amended by this Act, for the first, second, third, and fourth years for which the amendments made by this Act are applicable to such section shall be increased by 76 per centum, 64 per centum, 52 per centum, and 28 per centum, respectively, of the difference between such allotment percentage for the year involved and 75 per centum.

(2) The Federal share for Alaska determined under section 11(i) of the Vocational Rehabilitation Act, as amended by this Act, for the first year for which the amendments made by this Act are applicable to such section shall be increased by 70 per centum of the difference between such Federal share for such year and 60 per centum.

(3) If such first year for which such amendments made by this Act are applicable is any fiscal year ending prior to July 1, 1962, the adjusted Federal share for Alaska for such year for purposes of section 2(b) of the Vocational Rehabilitation Act shall, notwithstanding the provisions of paragraph (3) (A) of such section 2(b), be the Federal share determined pursuant to paragraph (2) of this subsection.

(d) The amendments made by paragraphs (2) and (3) of subsection (b), by subsection (c), and by paragraph (4) of subsection (d) of section 18; by subsection (a) of section 24; by subsection (b) of section 28; by subsection (a), by subparagraphs (2), (3), and (4) of subsection (b), and by paragraph (2) of subsection (c) of section 31; by paragraph (2) of subsection (c) and by subsection (d) of section 32; and, except as provided in subsection (b) of this section by paragraph (1) of subsection (a) of section 18, shall be effective on January 3, 1959.

(e) The amendment made by paragraph (1) of subsection (c) of section 32 shall ap-

ply in the case of deaths occurring on or after January 3, 1959.

(f) The amendments made by paragraph (1) of subsection (b) and paragraphs (1), (2), and (3) of subsection (d) of section 18 shall be applicable for fiscal years beginning July 1, 1959.

(g) The amendments in sections 40 and 42 shall take effect when enacted: *Provided, however, That with respect to injuries or deaths occurring on or after January 3, 1959, and prior to the effective date of these amendments, claims filed by employees engaged in the State of Alaska in any of the employments covered by the Defense Base Act (and their dependents) may be adjudicated under the Workmen's Compensation Act of Alaska instead of the Defense Base Act.*

DEFINITION OF "CONTINENTAL UNITED STATES"

SEC. 48. Whenever the phrase "continental United States" is used in any law of the United States enacted after the date of enactment of this Act, it shall mean the forty-nine States on the North American Continent and the District of Columbia, unless otherwise expressly provided.

OTHER SUBJECTS

SEC. 49. The amendment by this Act of certain statutes by deleting therefrom specific references to Alaska or such phrases as "Territory of Alaska" shall not be construed to affect the applicability or inapplicability in or to Alaska of other statutes not so amended.

SEPARABILITY

SEC. 50. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Mr. ASPINALL (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. It there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Chairman, I have at the Clerk's desk certain clarifying and perfecting amendments which I offer at this time.

The CHAIRMAN. The Clerk will read the amendments.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 5, line 3, strike out "1756(d)" and insert "1736(d)."

The amendment was agreed to.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 5, line 21, strike out "paragraph (6)" and insert "Paragraph (6)."

The amendment was agreed to.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 11, line 21, strike out "40" and insert "44."

The amendment was agreed to.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 23, line 13 strike out "amanded" and insert "amended."

The amendment was agreed to.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 23, line 14, strike out "all," and insert "all".

The amendment was agreed to.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 23, line 17, strike out "person," and insert "personal."

The amendment was agreed to.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: Page 28, strike out all of lines 3 through 13.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, I am sure this legislation is necessary. I have some doubts, however, about sections 21 and 35, and I am absolutely opposed to section 45 of this bill which provides:

Sec. 45. If the President determines that any function performed by the Federal Government in Alaska has been terminated or curtailed by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function.

Mr. Chairman, that is a delegation of power which should not be given by Congress to any President, now or in the future. This is power which should not be given to any President and I am opposed to this section, and I will be forced to oppose the bill if the section remains as it is presently worded.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Washington.

Mr. PELLY. Would the gentleman feel that way with the General Services, if a department of Government would find that its property was surplus and it would be turned over to GSA to dispose of. Would that satisfy the gentleman?

Mr. GROSS. I simply want to get at this arbitrary power given to any President to turn over at his discretion, any property, real or personal. That is going entirely too far. If someone else wants to work out a clarifying amendment, that is all right with me. Unless that is done I must insist on my amendment to strike the entire section.

Mr. O'BRIEN of New York. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa [Mr. GROSS].

Mr. Chairman, as I stated a moment ago, I can understand the concern of very distinguished Members of this body about the powers contained in the section that the gentleman from Iowa would strike from the bill; but it is my very firm conviction that if we strike that section we have stricken the heart of the bill and we are going to with one hand extend help to the new State in its transition period and with the other hand withdraw.

We are not gagging at the idea of turning over the airports, we are not gagging at the idea of turning over the roads, we are not gagging at the idea of turning over the health system; but we

are gagging at the idea of turning over equipment, which, in my opinion, is a substitute for dollars that some Members say you must add in your total cost of this bill. I am willing to make that addition, but if we say to this State: "You cannot have this under the requirement you must take over by July 1; you must go out in the highways and byways and buy it or do anything else to get this material," we are placing them in an impossible situation.

If some member of the committee has language which might refine or revise the section, I should be very happy to consider it, but to strike it out would strike a mortal blow to the bill itself.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Iowa.

Mr. GROSS. Why did not the committee place disposition of property in the hands of the Commission, and why set up one individual to say this property can be turned over and without limitation except as to the year 1964?

Mr. O'BRIEN of New York. May I say to the gentleman in reply that I would rather trust the President who would have the advice of experienced departments, such as the Department of the Interior and the Defense Department, than I would some as yet unnamed group of three, four, or five citizens to determine this thing. I think the committee was impelled partly by the fact that we are near the deadline, July 1, and it is necessary to make this transfer quickly if it is to be effective. I think we should keep in mind the very name of this bill. It is an omnibus bill. What we ordinarily do piece by piece with surplus property we are doing as a package in an omnibus bill. So I think there is justification here where it might not exist in other cases.

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: Page 28, line 4, strike out the present text of section 45 and insert in lieu thereof the following:

"SEC. 45. If the President determines that the performance of any function by the Federal Government in Alaska has been or will be terminated or curtailed, that performance of the same or substantially the same function has been or will be assumed by the State of Alaska, and that the termination or curtailment of the Federal function and the assumption thereof by the State will be facilitated by transferring, conveying, or lending to the State property or interests in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function, the President may, in his discretion and without requiring reimbursement therefor, (a) transfer and convey to the State any such real property or interests, therein and (b) lend to the State, pending further enactment by the Congress of provisions for the ultimate disposition thereof, any such personal property. The power to make a transfer, conveyance, or loan contained in this section shall terminate July 1, 1964. The provisions of this section shall not be applicable to property transferred pursuant to sections 21 and 35 of this act or preclude transfers under the surplus property laws of the United States."

Mr. SAYLOR. Mr. Chairman, the purpose of this amendment is to clarify the committee's thinking so as to enable the new State of Alaska to function after the 1st day of January 1959. It is interesting to note that this entire bill was worked out by the Bureau of the Budget. I have heard people get up on the floor of the House and say that the amendments which have been offered should be accepted because the Bureau of the Budget recommended them. "Now, the Bureau of the Budget, which is a creature of this House, which is set up to enable the Government to function properly, has recommended that section 45 be in this bill. They have recommended all the other sections be in this bill, and in order to enable the new State of Alaska to actually function and take over all of its facilities, I have offered this substitute amendment.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I shall be happy to yield to my chairman, the gentleman from Colorado.

Mr. ASPINALL. What the gentleman's amendment does is merely this: It authorizes the President to transfer and convey all real property that is necessary for the State to take over the activities which this bill makes necessary that the State take over.

Mr. SAYLOR. That is correct.

Mr. ASPINALL. At the same time it permits the President, if he desires, to lend any such equipment as is necessary which the Federal Government does not need, which is in excess of the Federal Government's needs. It makes it possible for the President to lend that property to the State of Alaska until we proceed through the regular procedures for the transfer of such excess to a governmental agency or State.

Mr. SAYLOR. That is correct. That should meet the objections of the gentleman from Iowa [Mr. Gross] who says that we are giving the authority to the President to give away anything. This will bring it in conformity with his request.

Mr. ASPINALL. Not only that, if the gentleman will yield further, it ties perhaps a little bit better than the original provision the granting or the conveying of property, the lending of property, to the functions that are set forth in this particular bill in these various instances.

Mr. SAYLOR. That is correct.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. I would simply like to say, in an effort to be agreeable, that I would be very happy to support the amendment offered by the gentleman from Pennsylvania.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Washington.

Mr. PELLY. How would your perfecting amendment affect property such as vessels and airplanes which the Fish and Wildlife Service use and for which they will have no further use when they

transfer the fisheries resources management over to the new State?

Mr. SAYLOR. This will enable the President to loan them to the new State of Alaska.

Mr. PELLY. They are pretty obsolete as they are now. By the time they get through using them, they will not be worth much. They might as well give them away.

Mr. SAYLOR. That is correct.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I will be happy to yield to the distinguished majority leader.

Mr. McCORMACK. I notice in the amendment offered by my friend from Pennsylvania that the provisions of this section shall not be applicable to property transferred pursuant to sections 21 and 35 of this act, and particularly this language, "or preclude transfers under the surplus property laws of the United States." Now, my understanding is that if the Federal Government owns property and it is declared surplus in the case of personalty or excess in the case of realty, that under the present law, with reference to the disposition of surplus property, first the Federal agencies have got to be screened to see if any of them want it; is that correct?

Mr. SAYLOR. That is correct.

Mr. McCORMACK. The gentleman desires to protect them?

Mr. SAYLOR. I certainly do.

Mr. McCORMACK. Secondly, if any Federal agency desires surplus property, in the case of excess personalty or in the case of excess realty, then it goes to General Services to enable the beneficiaries under the present law, with reference to surplus property or excess real estate, to exercise their rights; is that correct?

Mr. SAYLOR. That is correct.

Mr. McCORMACK. I happen to be the author of the amendment to the Donable Property Act, with which I am sure the gentleman is acquainted.

Mr. SAYLOR. That is right.

Mr. McCORMACK. And, by the way, according to the report last month, institutions throughout the country got \$33 million in acquisition value—that is, hospitals, colleges, schools, and other beneficiaries under the law. So that the gentleman's amendment protects their rights before there can be transferred or loaned any of this property to the State of Alaska; is that right?

Mr. SAYLOR. That is correct.

Mr. McCORMACK. I wanted to clarify the record in that respect.

Mr. SAYLOR. I thank the gentleman from Massachusetts.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in hopes that we can work out something here that would do what these gentlemen want to do, and at the same time we would know what we were doing. As it is now, this is a blanket authority given to the President—not to Congress, but to the President to assume the legislative powers of Congress, to give away Federal property. I am just naturally opposed to that kind

of procedure. I do not think we ought to do it. Why can we not write legislation so that we, as Members of Congress, will be doing the thing that we are required to do under the law?

This provides that the President may give away any property connected with any function that the Federal Government has been performing up there. The Federal Government has been the Government up there. The Federal Government has exercised every function, and every bit of property that the Government owned up there was operated in connection with some function that the Federal Government has been performing.

I think this language could be changed so that they could do the thing that is necessary, and I should like some of these gentlemen who know all about Alaska to tell me how we can do that. I do not know anything about Alaska except what I had learned last year when I was trying to prevent this statehood bill from going through in the first place.

For instance, who owns the Alaskan Railroad up there?

Mr. O'BRIEN of New York. If the gentleman will yield, the Federal Government.

Mr. SMITH of Virginia. And if the Federal Government should decide that it was going to decrease the service that it was providing up there, it would be diminishing the functions, and under this bill it would seem to me that the President can give away to the State of Alaska the Alaskan Railroad, on which the Government has spent hundreds of millions of dollars to build. That raises just one little question. And it is not such a little question after all.

If the gentleman would look at the Consent Calendar today—I picked it up while this debate was going on—he would find three bills on this calendar under which Congress, pursuant to its constitutional duties, was giving to this city or that city so many acres of ground, abandoned as an airport; giving to some other State something else where the Government had ceased to function. There were three bills of that kind on the Consent Calendar that we passed this morning. Why can we not do this thing with some degree of regularity? It seems to me we have been too lax in all of this statehood bill, and I am merely asking that we know what we are doing before we do it.

I would suggest that the amendment which the gentleman from Pennsylvania has offered, if it were confined to real estate, if it were confined to the real estate involved in the airports that you want to give away and the highway rights-of-way that you want to give away, I think that would very largely remedy the situation.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Yes.

Mr. O'BRIEN of New York. Perhaps my understanding is not correct, but it is my understanding that the only real estate that would be turned over would be in connection with the functions which are turned over to the new state. There is nothing in this bill, nor is there

any legislation planned that I know about, to turn over the Alaskan Railroad, to turn over our great forest reserves up there, or to turn over those very rich oil lands which the Federal Government has retained. And there is nothing in this bill that would permit the President to turn over any of those things to the new State.

Mr. SMITH of Virginia. It says, when any function performed by the Federal Government has been terminated or curtailed. If the Federal Government has got some land up there it does not want to police any more, it has terminated a function, and the President can then give it away. That is the fundamental thing to which I object, I will say to my friend; for the Congress to delegate its power to the President or anybody else to perform a constitutional duty that is laid upon Congress. I do not think we ought to do it for this bill or any other bill.

Mr. MORRIS of Oklahoma. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is an extremely important matter but I hesitate to make any observations because I am not a member of the committee and have not had an opportunity to sit in on the hearings. I have the highest respect and regard for this great committee that has reported this bill to us. But, I want to call your attention to the fact that the Constitution of the United States, and we are all familiar with the provision, but I would like to read the exact language of the Constitution in this regard, provides:

The Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Of course, therefore the Congress can dispose of this or other property. It is true, I think, that constitutionally we could delegate authority to dispose of property. I assume we could give that right to the President, but it seems to me it would be a bad policy. I certainly do not want to be a party in any way to injuring this bill because, generally speaking, I think it is an excellent bill. But why would not the following language be a good provision here. I would suggest the following:

If the President determines that any function performed by the Federal Government in Alaska has been terminated or curtailed by the Federal Government and that performance of such function, or substantially the same function, has been or will be assumed by the State of Alaska, the President may until July 1, 1964, in his discretion, subject to the approval of Congress, transfer and convey to the State of Alaska without reimbursement any property or interest in property, real or personal situated in Alaska which is owned wholly by the United States in connection with such function.

Some might say that that suggestion "subject to the approval of Congress" would be somewhat meaningless and would tend to nullify the other provisions of this section. But, I do not think it would because it would show that the purpose of the Congress is to permit the President to make a survey of the situation, and if he finds that it is advisable

to do this, then, of course, he would have the right to do it subject to the approval of the Congress. I assume the Congress would go along with it, if it were a feasible and reasonable situation. But, it does seem to me that there is a pretty strong point made by the suggestion that it would be unwise to just permit the President of the United States to give away property without any checking on the part of the Congress. I merely offer this as a suggestion. It may not be a wise suggestion, but I am rather impressed with the idea that it is a bad practice here to say the President alone should determine whether or not this property should be given to the State of Alaska; it might amount to millions upon millions of dollars worth of property. I certainly do not want to hamstring the great State of Alaska in any way, but it just seems to me a pretty good idea to say that the Congress, which the Constitution, of course, enjoins to act in this field, should have some final say about it.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MORRIS of Oklahoma. I yield to the distinguished majority leader.

Mr. McCORMACK. The gentleman realizes that under the Saylor amendment, before the President can exercise his authority the various departments have to be screened as to whether they need the property. The gentleman understands that; does he not?

Mr. MORRIS of Oklahoma. Yes, sir; I understand that at least is understood.

Mr. McCORMACK. Secondly, before it can be transferred to Alaska, the hospitals and any colleges or schools have to be given an opportunity to determine whether they can use it under the donable property act. The gentleman understands that, of course?

Mr. MORRIS of Oklahoma. That is my understanding of the purport of the amendment.

Mr. McCORMACK. Of course, I realize the potency of the argument of my friend, the gentleman from Virginia and also the position of my friend, the gentleman from Oklahoma. I would probably be better off sitting on the sidelines, but here we have a new state which is just coming into the Union. The gentleman realizes, of course, that we are faced with a very practical situation in connection with the new state. Where these requirements have to be met, it might justify an exception to the general rule. The gentleman would recognize that; would he not?

Mr. MORRIS of Oklahoma. I recognize that it might, yes, sir.

Mr. McCORMACK. If my friend, the gentleman from Oklahoma, were to have his amendment adopted, it would be better to strike the whole section out because we are simply saying that the President can do something and then we say he cannot do it until he comes back to the Congress.

Mr. MORRIS of Oklahoma. Yes, I recognize that, but it would be expressing the thought on the part of the Congress that there would be that assumption that it probably would be a suitable thing to do; but to keep the power within the Congress. Naturally the

President's findings would probably have great weights with Congress.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. MORRIS] has expired.

(Mr. MORRIS of Oklahoma asked and was given permission to speak for 2 additional minutes.)

Mr. MORRIS of Oklahoma. Mr. Chairman, I recognize the fact that we should be very liberal with this great new State that is coming into the Union. As I say, I certainly do not want to be a party in any way of doing anything that would be injurious to the regular, proper, and valid functioning of the new state. I have offered this proposal merely as a suggestion not as an amendment as yet. Then I would suggest this to the distinguished majority leader. As I understand the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR] it only applies to personal property and it does not apply to real estate; is that not correct?

Mr. SAYLOR. It allows the President to make a gift of real estate.

Mr. MORRIS of Oklahoma. But not of personal property?

Mr. SAYLOR. That is right.

Mr. MORRIS of Oklahoma. Mr. Chairman, I thought I would make these observations. It seems to me we are going a rather long way to permit the President of the United States to give away what might amount to millions and millions of dollars worth of both real property and personal property.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. MORRIS of Oklahoma. I yield.

Mr. ASPINALL. Does my colleague understand that the only real property involved here is real property which presently is owned and controlled by the Federal Government to take care of the functions of the Federal Government presently which will be turned over to the new State of Alaska? That is the only real property involved. For instance, if the property is not turned over the Federal Government has got to continue its operation of the airports at Anchorage and Fairbanks; not only that, but most likely there will be extensive work needed on them in the very near future.

Mr. MORRIS of Oklahoma. May I ask the distinguished chairman of the committee—and that is one reason why I most always go along with this committee, because of the high regard and respect I have for its great chairman, Mr. ASPINALL of Colorado, but may I ask if it is not conceivable that the President under the present wording could turn over military installations?

Mr. ASPINALL. No, because it is not one of the functions enumerated further down in the bill.

Mr. MORRIS of Oklahoma. Would the gentleman say, then, that under the practical setup the functions referred to here are of such nature that his turning them over to the State of Alaska would not seriously injure the functioning of the United States of America in that area?

Mr. ASPINALL. I would say that this applies only to certain things such as airports, highways, the mental hospital,

and to the general hospital and the recreational programs that were authorized for Alaska two or three years ago.

Mr. MORRIS of Oklahoma. I think the gentleman has made that clear.

(Mr. MORRIS of Oklahoma asked and was given permission to revise and extend his remarks.)

Mr. O'BRIEN of New York. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I have said that I would support the amendment offered by the gentleman from Pennsylvania, and I intend to do so. I think if that amendment should be adopted this controversy would be settled.

If this amendment is not adopted, I think it might ease the minds of some Members for fear that the President or somebody for the President might reach out and give a million acres to the new State or someone else, it might ease everybody's mind if we inserted a comma at the end of the present section and spelled it out as follows:

The transfer of which functions is authorized in this act or the act of July 7, 1958.

In other words, it would be limited strictly to functions of the new State in these specified fields: The taking over of the airport, the taking over of the mental health system, the taking over of highway construction and maintenance. I think that would spell it out very specifically for the Members.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. SMITH of Virginia. I wonder if that would be agreeable to the gentleman from Pennsylvania.

Mr. SAYLOR. That is perfectly agreeable to me.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. McCORMACK. Where does that leave the surplus property?

Mr. SMITH of Virginia. There is not any surplus property.

Mr. McCORMACK. Would surplus property be available to schools and hospitals up there? Would they have the benefit of the present law in relation to surplus property?

Mr. O'BRIEN of New York. It is my belief they would continue to have that as any State has.

Mr. McCORMACK. In other words, that is the intent of the committee, not as any other State, but any of the other beneficiaries.

Mr. O'BRIEN of New York. Any other beneficiaries; yes.

Mr. McCORMACK. Under organic law.

Mr. O'BRIEN of New York. Yes.

Mr. McCORMACK. That is all right with me.

Mr. SMITH of Virginia. Would the gentleman from Iowa be satisfied with that provision?

Mr. GROSS. Yes. Does the gentleman propose to offer an amendment to the pending amendment or will he offer it after the pending amendment is acted on?

Mr. O'BRIEN of New York. I think it might be a little better if the amend-

ment to the amendment and the original amendment were withdrawn. I think that would simplify it. Then I would offer this amendment. I hope that clears up the doubt in the gentleman's mind.

Mr. MORRIS of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. MORRIS of Oklahoma. I want to say it certainly does satisfy me, and I am glad the gentleman has made that suggestion. I believe this short debate here on this matter has been very helpful and very clarifying. I express my appreciation to the gentleman for his willingness to offer it.

Mr. O'BRIEN of New York. I will say to the gentleman I know that the members of the committee have been disturbed by this as well as certain very distinguished Members of the House, and we have been striving to find some language that would ease those fears. I think this will do it. Certainly I would urge it most strongly.

Mr. SAYLOR. Mr. Chairman, I ask unanimous consent to withdraw the substitute amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to withdraw the amendment which I offered. I take this action on the understanding that the amendment will be offered as stated.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. O'BRIEN of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'BRIEN of New York: On page 28, line 13, before the period insert the following: "The transfer of which function is authorized in the Act or the Act of July 7, 1958."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. O'BRIEN].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ANDERSON of Montana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7120) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes, pursuant to House Resolution 279, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

Mr. ASPINALL. Mr. Speaker, in the O'Brien amendment offered in the Committee of the Whole the word "the" should be changed to read "this." I ask unanimous consent that the Committee amendment may be so changed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ONE HUNDREDTH ANNIVERSARY OF THE SETTLEMENT OF THE STATE OF COLORADO

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7290) to provide for the striking of medals in commemoration of the 100th anniversary of the settlement of the State of Colorado and in commemoration of the establishment of the U.S. Air Force Academy.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. ARENDS. Mr. Speaker, reserving the right to object, I think the gentleman has cleared this all the way around on both sides of the aisle?

Mr. JOHNSON of Colorado. That is right.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. JOHNSON]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundredth anniversary of the settlement of the State of Colorado and in commemoration of the establishment of the United States Air Force Academy, the Secretary of the Treasury is authorized and directed to strike and furnish to the Colorado Rush to the Rockies Centennial Commission not more than ten thousand silver medals, one and five-sixteenths inches in diameter, with suitable emblems, devices, and inscriptions to be determined solely by the Secretary of the Treasury. The medals shall be made and delivered at such times as may be requested by the Commission in quantities of not less than twenty-five hundred, but no medals shall be made after December 31, 1959. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. (a) The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

(b) Upon authorization from the Colorado Rush to the Rockies Commission, the Secretary of the Treasury shall cause duplicates in silver of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SENATE JOINT MEMORIALS OF THE 50TH LEGISLATIVE ASSEMBLY OF THE STATE OF OREGON

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute and to include memorials from the Oregon Legislature.)

Mrs. GREEN of Oregon. Mr. Speaker, it is with pleasure that I place before the House Senate Joint Memorials 6, 8, 9, and 11, of the 50th Legislative Assembly of the State of Oregon. These memorials have received the approval of both houses of the recently-adjourned Oregon Legislature.

SENATE JOINT MEMORIAL 6

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the 85th session of Congress enacted a new military pay law, Public Law 85-422, concerning an increase in the basic and other pay of Armed Forces personnel; and

Whereas this law denies to those retired after June 1, 1958, including those retired because of disability incurred in line of duty, to have their retired pay computed at the increased rate; and

Whereas retired members of the Armed Forces of the United States reside in every portion of our country, and the State of Oregon is privileged to have many retired personnel who have served their country faithfully and with distinction; and

Whereas there appears to be no basis for this gross discrimination against retired personnel who by reason of past meritorious services are equally entitled to benefits granted active duty members of the Armed Forces and survivors of military personnel; and

Whereas the circumstances of retirement should not penalize these members of our society, who must meet the present increased cost of living the same as active duty personnel and survivors: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That the Congress of the United States be memorialized to amend Public Law 85-422, or any similar legislation, to include presently retired members of the Armed Forces within the provisions increasing the basic pay of members of the Armed Forces, so that their retirement benefits will be increased accordingly, and to enact this legislation in such amended form; and be it further

Resolved, That copies of this memorial be transmitted to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to all members of the Oregon congressional delegation.

Adopted by senate April 17, 1959.

MEDA COLE,
Chief Clerk of Senate.
WALTER J. PEARSON,
President of Senate.

Adopted by house April 22, 1959.

ROBERT B. DUNCAN,
Speaker of House.

SENATE JOINT MEMORIAL 8

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas it is believed that the Congress of the United States, the Federal courts and all Federal departments and agencies concerned should recognize the importance and sanctity of water rights of individuals and of the several States; and

Whereas it is feared that failure to recognize and acknowledge the importance of such rights may develop into a pattern of Federal usurpation of individual and States' rights over water: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That the Congress of the United States be and it respectfully is memorialized to take all necessary action:

(1) To preserve the water rights of the individual and of the States and to prevent Federal usurpation of those rights;

(2) To see that legislation is initiated and supported to reestablish to the individuals and to the States such rights as may have been taken from them by either the Federal courts or any department or agency of the United States; and

(3) In every way possible to reaffirm, renew, and defend the concept that water rights are property rights and that these established rights to the use of water, by a State or an individual, should not be taken away without due process of law and adequate compensation; and be it further

Resolved, That copies of this memorial be sent to the President and Vice President of the United States, and to those Members of the House of Representatives and the Senate representing the State of Oregon.

Adopted by senate April 15, 1959.

MEDA COLE,

Chief Clerk of Senate.

WALTER J. PEARSON,

President of Senate.

Adopted by house April 21, 1959.

ROBERT B. DUNCAN,

Speaker of House.

SENATE JOINT MEMORIAL 9

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas 1½ million American citizens are visiting, working, and living in foreign countries; and

Whereas no governmental agency makes permanent birth, death, marriage, divorce, adoption, and other vital records for these citizens comparable to those obtainable by citizens resident in the continental United States through State offices of vital statistics; and

Whereas vital events affecting many U.S. citizens go unregistered, and the lack of proof of the fact of such events make difficult the collection of insurance, qualification for inheritance, obtaining veterans' benefits and proof of U.S. citizenship; and

Whereas the forms and procedures used by the State Department make no allowances for errors and an incorrect State Department report of birth cannot be corrected or changed; a child of American citizens adopted by other American citizens in a foreign country can never have a birth certificate in his new name; an American woman bearing a child out of wedlock can never obtain a new birth certificate for her child if she marries; American citizens adopting foreign children overseas cannot obtain a new birth certificate for their child from the Federal Government until they have returned the child to this country; and

Whereas overseas births to American parents not registered with the State Department must be judged on an individual basis by the Immigration and Naturalization Service

of the Department of Justice for the possible awarding of a certificate of citizenship, and neither this certificate nor the State Department report of birth is comparable to a standard certificate of birth issued by the State governments within the United States; and

Whereas a number of persons have been denied passports because either (a) the official State delayed certificates of birth which they present in evidence of their American citizenship are not acceptable to the State Department; or (b) they are adopted persons who have subsequently received new birth certificates in their adopted names when their status was legally changed; even though such certificates meet required national registration standards and clearly show the types of records used to establish conclusively the date and place of birth of the registrant and the names of his parents; and

Whereas all State registration offices recognize the principle that a person should have a birth certificate in his legal name and that such certificate should make no reference to his previous status: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That action be taken to establish in the Federal Government a single vital statistics registration office with responsibilities, duties, and scope of activities similar to those of offices of vital statistics now existing in every State, such central Federal office of vital statistics registration to prepare, register, and issue necessary certified copies of birth, death, marriage, divorce, adoption, and allied records of such occurrences to American citizens visiting or living outside the United States and its Territories; be it further

Resolved, That the proposed Federal Vital Statistics Office should receive from the Immigration and Naturalization Service the facts of vital events concerning all naturalized citizens necessary to the preparation and filing of vital records and the issuance of certified copies thereof; and be it further

Resolved, That copies of this memorial be sent to the President and Vice President of the United States and to all Members of the Oregon congressional delegation.

Adopted by senate April 17, 1959.

MEDA COLE,

Chief Clerk of Senate.

WALTER J. PEARSON,

President of Senate.

Adopted by house April 21, 1959.

ROBERT B. DUNCAN,

Speaker of House.

SENATE JOINT MEMORIAL 11

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the Tualatin River and its tributaries, located in northwestern Oregon, form a basin for an area of land covering approximately 711 square miles; and

Whereas in the past, due to the absence of any flood control and irrigation facilities, adjoining lands have been adversely affected by inundation during winter months and lack of adequate supplies of water during summer months; and

Whereas there is contained within the Tualatin River Basin many and varied interests urgently in need of preservation and protection, such as fish, wildlife, extensive recreational facilities, agricultural pursuits, and many other needs vitally affected by the presence or lack of water; and

Whereas the Bureau of Reclamation, Department of the Interior, in the course of

an investigation and report submitted in 1956, did recommend an extensive plan of improvement for the Tualatin River Basin; and

Whereas the report of the Bureau of Reclamation did recommend immediate construction of Scoggin Dam and Reservoir to provide 46,000 acre-feet of usable storage space; and

Whereas due to the accelerated increase in population since 1955 within the Tualatin River Basin, with its attendant additional demands in uses of land, natural resources and recreational facilities, the conditions requiring flood control, irrigation, and other protective measures in said area, have become acutely aggravated: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That immediate action be taken by the Congress of the United States and the Federal Government to appropriate the necessary funds and to authorize and direct immediate consideration of suitable facilities, including but not limited to, a dam, reservoir, channel improvement, and such other reasonable and necessary facilities and improvements in the Tualatin River Basin, Oreg., to provide and preserve adequate and safe flood control, irrigation, and recreational facilities as will contribute to the betterment of fish and wildlife conditions and to the welfare of those citizens of the United States and the State of Oregon vitally affected and concerned thereby; and be it further

Resolved, That copies of this memorial be sent to the President and Vice President of the United States, and to all members of the Oregon congressional delegation.

Adopted by senate April 21, 1959.

Readopted by senate April 29, 1959.

MEDA COLE,

Chief Clerk of Senate.

WALTER J. PEARSON,

President of Senate.

Adopted by house April 27, 1959.

ROBERT B. DUNCAN,

Speaker of House.

REPEAL OF TAX ON TRANSPORTATION OF PERSONS

(Mr. HUDDLESTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUDDLESTON. Mr. Speaker, this afternoon I have introduced for appropriate reference a bill to repeal the tax on transportation of persons. As you know, just before World War II, the Congress enacted the excise tax on the travel of persons as an emergency measure. The tax was designed to discourage unnecessary use of the transportation facilities of our Nation in order that they could be used to the greatest possible degree for the war effort. The tax, of course, applied originally to both domestic and foreign travel.

As you know, the excise tax on foreign travel was repealed by the Congress some time ago, leaving this tax applicable only to domestic travel throughout the United States, thus giving more advantage in competition to foreign carriers over domestic carriers. Further, action has been taken with regard to similar wartime measures, such as the tax on freight.

Therefore, Mr. Speaker, because the continued imposition of this discriminatory tax is at odds with and works against our overall national transporta-

86TH CONGRESS
1ST SESSION

Received; read twice and ordered to be placed on the calendar

AN ACT

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the “Alaska Omnibus Act”.

FEDERAL JURISDICTION

5 SEC. 2. (a) Section 4 of the Act of July 7, 1958 (72
6 Stat. 339), providing for the admission of the State of
7 Alaska into the Union, is amended by striking out the words
8 "all such lands or other property, belonging to the United
9 States or which may belong to said natives", and inserting in
10 lieu thereof the words "all such lands or other property (in-

cluding fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives”.

(b) Section 6 (e) of said Act is amended by striking out the word “legislative” and inserting in lieu thereof the word “calendar”.

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

SEC. 3. Any Territorial law, as that term is defined in section 8 (d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union—

(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

(b) the application of which to the State of Alaska is continued solely by reason of such section 8 (d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

SUGAR ACT

SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection “(o)” and to read as follows:

1 “(o) The term ‘continental United States’ means
2 the forty-nine States and the District of Columbia.”

3 SOIL BANK ACT

4 SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C.,
5 supp. V, sec. 1837), is amended to read as follows: “This
6 subtitle B shall apply to the continental United States, except
7 Alaska, and, if the Secretary determines it to be in the
8 national interest, to the State of Alaska, the Territory of
9 Hawaii, the Commonwealth of Puerto Rico, and the Virgin
10 Islands, and as used in this subtitle B, the term ‘State’ in-
11 cludes Hawaii, Puerto Rico, and the Virgin Islands.”

12 ARMED FORCES

13 SEC. 6. (a) Title 10, United States Code, section
14 101(2), is amended by striking out the words “Alaska,
15 Hawaii,” and inserting in lieu thereof the word “Hawaii”.

16 (b) Title 10, United States Code, sections 802(11) and
17 802(12), are each amended by striking out the words “that
18 part of Alaska east of longitude 172 degrees west,”.

19 (c) Title 10, United States Code, section 2662(c), is
20 amended by striking out the word “Alaska,”.

21 NATIONAL BANK ACT

22 SEC. 7. Section 5192 of the Revised Statutes, as
23 amended (12 U.S.C. 144), is further amended by striking
24 out the words “in Alaska or”.

1 FEDERAL RESERVE ACT

2 SEC. 8. (a) Section 1 of the Federal Reserve Act, as
3 amended (12 U.S.C. 221), is further amended by deleting
4 the period at the end of such section and inserting in lieu
5 thereof the following: “; the term ‘the continental United
6 States’ means the States of the United States and the District
7 of Columbia.”

8 (b) Section 19 of the Federal Reserve Act, as amended
9 (12 U.S.C. 466), is further amended by striking the words
10 “in Alaska or”.

11 HOME LOAN BANK BOARD

12 SEC. 9. (a) Paragraph (3) of section 2 of the Federal
13 Home Loan Bank Act, as amended (12 U.S.C. 1422 (3)),
14 is further amended by striking out the words “Territories of
15 Alaska and Hawaii” and inserting in lieu thereof the words
16 “Territory of Hawaii”.

17 (b) Section 7 of the Home Owners’ Loan Act of 1933,
18 as amended (12 U.S.C. 1466), is further amended by strik-
19 ing out the words “continental United States, to the Terri-
20 tories of Alaska and Hawaii” and inserting in lieu thereof the
21 words “continental United States (including Alaska), to the
22 Territory of Hawaii”.

23 NATIONAL HOUSING ACT

24 SEC. 10. The National Housing Act is amended by—

25 (a) striking out the word “Alaska,” in section 9,

201 (d), 207 (a) (7), 601 (d), 713 (q), and 801 (g)
 (12 U.S.C., secs. 1706d, 1707 (d), 1713 (a) (7),
 1736 (d), 1747 1 (q) ; supp. V, sec. 1748 (g)) ;

(b) striking out the words "the Territory of
 Alaska," in section 207 (c) (2) (12 U.S.C., supp. V,
 sec. 1713 (c) (2)), and inserting the word "Alaska" in
 lieu thereof;

(c) striking out the words "the Territory of Alaska
 or in Guam" in section 214 (12 U.S.C., supp. V, sec.
 1715d, 48 U.S.C., supp. V, sec. 484d), and inserting
 the words "Alaska, Guam," in lieu thereof; and

(d) striking out the word "Territory" in the two
 places where it appears in section 806 (12 U.S.C.,
 supp. V, sec. 1748e), inserting the word "State" in lieu
 thereof.

COAST GUARD

SEC. 11. Title 14, United States Code, section 634 (b),
 is amended by striking out the words "and for the territory
 of" in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

SEC. 12. (a) Paragraph (6) of section 2 of the Securi-
 ties Act of 1933, as amended (15 U.S.C. 77b(6)), is
 further amended by striking out the word "Alaska,".

(b) Paragraph (16) of section 3 (a) of the Securities
 Exchange Act of 1934, as amended (15 U.S.C. 78c(a)

1 (16)), is further amended by striking out the word
2 "Alaska,".

3 (c) Paragraph (18) of section 202 (a) of the Invest-
4 ment Advisers Act of 1940, as amended (15 U.S.C. 80b-2
5 (a) (18)), is further amended by striking out the word
6 "Alaska,".

7 (d) Paragraph (37) of section 2 (a) of the Investment
8 Company Act of 1940, as amended (15 U.S.C. 80a-2 (a)
9 (37)), is further amended by striking out the word
10 "Alaska,".

11 (e) Paragraph (1) of section 6 (a) of the Investment
12 Company Act of 1940, as amended (15 U.S.C. 80a-6 (a)
13 (1)), is further amended by striking out the word "Alaska,".

14 SOIL CONSERVATION

15 SEC. 13. (a) Section 8 (b) of the Soil Conservation and
16 Domestic Allotment Act, as amended (16 U.S.C., supp. V,
17 sec. 590h (b)), is further amended by inserting, immediately
18 following the words "continental United States", the words
19 ", except in Alaska".

20 (b) Section 17 (a) of the Soil Conservation and Do-
21 mestic Allotment Act, as amended (16 U.S.C. 590q (a)),
22 is further amended by striking out the words "the United
23 States, the Territories of Alaska and Hawaii" and inserting
24 in lieu thereof the words "the States, the Territory of

1 Hawaii", and by striking out the word "Alaska" the second
2 time it appears therein.

3 BALD EAGLES

4 SEC. 14. Section 1 of the Act of June 8, 1940 (16
5 U.S.C. 668); is amended by striking out the words "except
6 the Territory of Alaska,".

7 WILDLIFE RESTORATION

8 SEC. 15. Section 8 (a) of the Act of September 2,
9 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is
10 further amended by striking out the words "the Alaska
11 Game Commission,", "said Territory of Alaska,", "not ex-
12 ceeding \$75,000 for Alaska, and", and "the Territory of
13 Alaska,".

14 FISH RESTORATION

15 SEC. 16. Section 12 of the Act of August 9, 1950, as
16 amended (16 U.S.C., supp. V, sec. 777k), is further
17 amended by striking out the words "the Alaska Game Com-
18 mission,", "said Territory of Alaska,", "not exceeding
19 \$75,000 for Alaska, and", and "the Territory of Alaska,".

20 CRIMINAL CODE

21 SEC. 17. (a) Title 18, United States Code, section
22 5024, is amended by striking out the words "other than
23 Alaska" and inserting in lieu thereof the words "including
24 Alaska".

(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

(d) Title 18 United States Code, section 1385, is amended by deleting the last sentence thereof.

12 EDUCATION

SEC. 18. (a) (1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out "Alaska", each time it appears.

17 (2) Paragraph (3) (B) of section 302(a) of such
18 Act (72 Stat. 1580, 1588), relating to definition of
19 continental United States for purposes of allotments for
20 science, mathematics and modern foreign language instruc-
21 tion equipment, is amended by striking out "does not in-
22 clude Alaska" and inserting in lieu thereof "includes Alaska".

23 (3) Section 1008 of such Act (72 Stat. 1580, 1605),
24 relating to allotments to Territories, is amended by striking
25 out "Alaska,".

1 (b) (1) Section 4 of the Act of February 23, 1917
2 (20 U.S.C. 14), relating to allotments for teacher-training,
3 is amended by striking out "\$90,000" and inserting in lieu
4 thereof "\$98,500". The proviso in the last paragraph of
5 section 5 of such Act (20 U.S.C. 16) and so much of
6 section 12 of such Act (20 U.S.C. 22) as follows the last
7 semicolon shall not be applicable to Alaska prior to the third
8 fiscal year which begins after the enactment of this Act.

9 (2) Paragraph (1) of section 2 of the Vocational
10 Education Act of 1946 (20 U.S.C. 15i), relating to defini-
11 tion of States and Territories, is amended by striking out
12 "the Territories of Alaska and Hawaii" and inserting in lieu
13 thereof "the Territory of Hawaii".

14 (3) Subsection (e) of section 210 (20 U.S.C., supp. V,
15 sec. 15jj (e)), and subsection (a) of section 307 of such Act
16 (72 Stat. 1580, 1600), relating to definition of State, are
17 each amended by striking out "Alaska,".

18 (c) Paragraph (13) of section 15 of the Act of Sep-
19 tember 23, 1950, as amended (72 Stat. 548, 558), relat-
20 ing to definition of State, is amended by striking out
21 "Alaska,".

22 (d) (1) The material in the parentheses in the first sen-
23 tence of subsection (d) of section 3 of the Act of Septem-
24 ber 30, 1950, as amended, relating to determination of local

1 contribution rate, is amended to read: “(other than a local
2 educational agency in Hawaii, Puerto Rico, Wake Island,
3 Guam, or the Virgin Islands, or in a State in which a sub-
4 stantial proportion of the land is in unorganized territory
5 for which a State agency is the local educational agency)”.

6 (2) The fourth sentence of such subsection is amended
7 by inserting “(including Alaska)” after “continental United
8 States” the first time it appears in such sentence. The fifth
9 sentence of such subsection is amended by inserting “(in-
10 cluding Alaska)” after “continental United States” the sec-
11 ond time it appears in such sentence.

12 (3) The last sentence of such subsection is amended
13 by striking out “Alaska,” and by inserting after “the Virgin
14 Islands,” the following: “or in any State in which a substan-
15 tial proportion of the land is in unorganized territory for
16 which a State agency is the local educational agency,”.

17 (4) Paragraph (8) of section 9 of such Act (20
18 U.S.C., supp. V, sec. 244(8)), relating to definition of
19 State, is amended by striking out “Alaska,”.

20 IMPORTATION OF MILK AND CREAM

21 SEC. 19. Subsection (b) of section 9 of the Act of
22 February 15, 1927 (21 U.S.C., sec. 149(b)), is amended
23 by inserting the words “, including Alaska” immediately fol-
24 lowing the words “continental United States”.

OPIUM POPPY CONTROL

SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C., sec. 188k), is amended by deleting therefrom the words "the Territory of Alaska,".

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 44 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal

1 ownership for purposes other than or in addition to road
2 purposes.

3 (b) Notwithstanding any other provision of this sec-
4 tion, any contract entered into by the Federal Government
5 in connection with the activities of the Bureau of Public
6 Roads in Alaska which has not been completed on the date
7 of the transfer provided under subsection (a) hereof may
8 be completed according to the terms thereof.

9 (c) (1) The State of Alaska shall be responsible for
10 the maintenance of roads, including bridges, tunnels, and
11 ferries, transferred to it under subsection (a) of this section,
12 as long as any such road is needed for highway purposes.

13 (2) Federal-aid funds, apportioned to Alaska under title
14 23, United States Code, for fiscal year 1960 and prior fiscal
15 years, and unobligated on the date of enactment of this
16 Act, may be used for maintenance of highways on the
17 Federal-aid systems in Alaska.

18 (d) Effective July 1, 1959, the following provisions
19 of law are repealed:

20 (1) Title 23, United States Code, section 103 (f) ;

21 (2) Title 23, United States Code, section 116 (d) ;

22 (3) Title 23, United States Code, section 119;

23 (4) Title 23, United States Code, section 120 (h),

1 except that the portion of the first sentence thereof relating
2 to the percentage of funds to be contributed by Alaska shall
3 continue to apply to funds apportioned to Alaska for fiscal
4 year 1960 and prior fiscal years;

5 (5) Sections 107 (b) and (d) of the Federal-Aid
6 Highway Act of 1956 (70 Stat. 374, 377, 378) ;

7 (6) Section 2 of the Act of January 27, 1905 (33
8 Stat. 616), as amended (48 U.S.C., sec. 322 and the
9 following) ; and

10 (7) The Act of June 30, 1932 (47 Stat. 446), as
11 amended (48 U.S.C., sec. 321 (a) and the following) .

12 (e) Effective on July 1, 1959, the following provisions
13 of law are amended:

14 (1) The definition of the term "State" in title 23,
15 United States Code, section 101 (a), is amended to read
16 as follows: "The term 'State' means any one of the forty-
17 nine States, the District of Columbia, Hawaii, or Puerto
18 Rico.";

19 (2) Title 23, United States Code, section 104 (b), is
20 amended by deleting the phrase " , except that only one-third
21 of the area of Alaska shall be included" where it appears in
22 paragraphs (1) and (2) of said section 104 (b) ;

23 (3) Title 23, United States Code, section 116 (a), is

1 amended by deleting the phrase "Except as provided in
2 subsection (d) of this section," and by capitalizing the
3 word "it" immediately following such phrase; and

4 (4) Title 23, United States Code, section 120 (a), is
5 amended by deleting the phrase "subsections (d) and (h)"
6 and by inserting in lieu thereof the phrase "subsection (d)".

7 INTERNAL REVENUE

8 SEC. 22. (a) Section 2202 of the Internal Revenue
9 Code of 1954 (relating to missionaries in foreign service),
10 and sections 3121 (e) (1), 3306 (j), 4221 (d) (4), and 4233
11 (b) of such Code (each relating to a special definition of
12 "State") are amended by striking out "Alaska,".

13 (b) Section 4262 (c) (1) of the Internal Revenue Code
14 of 1954 (definition of "continental United States") is
15 amended to read as follows:

16 "(1) CONTINENTAL UNITED STATES.—The term
17 'continental United States' means the District of Colum-
18 bia and the States other than Alaska."

19 (c) Section 4502 (5) of the Internal Revenue Code of
20 1954 (relating to definition of "United States") is amended
21 by striking out "the Territories of Hawaii and Alaska" and
22 by inserting in lieu thereof "the Territory of Hawaii".

23 (d) Section 4774 of the Internal Revenue Code of 1954

1 (relating to territorial extent of law) is amended by striking
2 out "the Territory of Alaska,".

3 (e) Section 7621 (b) of the Internal Revenue Code of
4 1954 (relating to boundaries of internal revenue districts) is
5 amended to read as follows:

6 " (b) BOUNDARIES.—For the purpose mentioned in sub-
7 section (a), the President may subdivide any State, Ter-
8 ritory, or the District of Columbia, or may unite into one
9 district two or more States or a Territory and one or more
10 States."

11 (f) Section 7653 (d) of the Internal Revenue Code of
12 1954 is amended by striking out "its Territories or posses-
13 sions" and inserting in lieu thereof "its possessions or the
14 Territory of Hawaii".

15 (g) Section 7701 (a) (9) of the Internal Revenue
16 Code of 1954 (relating to definition of "United States") is
17 amended by striking out "the Territories of Alaska and Ha-
18 waii" and inserting in lieu thereof "the Territory of Hawaii".

19 (h) Section 7701 (a) (10) of the Internal Revenue
20 Code of 1954 (relating to definition of State) is amended
21 by striking out "Territories" and inserting in lieu thereof
22 "Territory of Hawaii".

23 (i) The amendments contained in subsections (a)

1 through (h) of this section shall be effective as of January
2 3, 1959.

3 COURTS

4 SEC. 23. (a) Title 28, United States Code, section 48,
5 is amended by striking out the word "Seattle." and inserting
6 in lieu thereof the words "Seattle, Anchorage."

7 (b) Title 28, United States Code, section 81A, is
8 amended by inserting the word "Ketchikan," immediately
9 following the word "Juneau,".

10 (c) Such authority as has been exercised by the At-
11 torney General heretofore, with regard to the Federal court
12 system in Alaska, pursuant to section 30 of the Act of June
13 6, 1900 (48 U.S.C. 25), shall continue to be exercised by
14 him after the court created by section 12 (b) of the Act of
15 July 7, 1958 (72 Stat. 339, 348), providing for the ad-
16 mission of the State of Alaska into the Union, is established.

17 (d) All balances of public moneys received by the clerks
18 of each division of the District Court for the Territory of
19 Alaska pursuant to section 10 of the Act of June 6, 1900,
20 as amended (48 U.S.C. 107), which are on hand after all
21 payments ordered by that court and approved by the Admin-
22 istrative Office of the United States Courts shall have been
23 made, shall be covered into the Treasury of the United

1 States as required by law, and the Secretary of the Treasury
2 shall pay the amounts so covered, which are hereby appro-
3 priated, to the State of Alaska.

4 VOCATIONAL REHABILITATION ACT

5 SEC. 24. (a) Subsection (g) of section 11 of the Voca-
6 tional Rehabilitation Act (29 U.S.C. supp. V, sec. 41 (g)),
7 relating to definition of State, is amended by striking out
8 "Alaska,".

9 (b) (1) Subsection (i) and paragraph (1) of subsec-
10 tion (h) of such section, relating to definition of allotment
11 percentages and Federal shares for purposes of allotment and
12 matching for vocational rehabilitation services, are each
13 amended by striking out "(excluding Alaska)" and inserting
14 in lieu thereof "(including Alaska)".

15 (2) Paragraph (1) of such subsection (h) is further
16 amended by striking out "Alaska,".

17 (3) Such subsection (i) is further amended by striking
18 out "Hawaii and Alaska" in clause (B) and inserting in
19 lieu thereof "Hawaii".

20 GOLD RESERVE ACT

21 SEC. 25. Section 15 of the Gold Reserve Act of 1934,
22 as amended (31 U.S.C. 444), is further amended by strik-

1 ing out the words “, the District of Columbia, and the Ter-
2 ritory of Alaska” and inserting in lieu thereof the words
3 “and the District of Columbia”.

4 SILVER PURCHASE ACT

5 SEC. 26. Section 10 of the Silver Purchase Act of 1934
6 (31 U.S.C. 448b) is amended by striking out the words
7 “, the District of Columbia and the Territory of Alaska”
8 and inserting in lieu thereof the words “and the District of
9 Columbia”.

10 NATIONAL GUARD

11 SEC. 27. Title 32, United States Code, section 101 (1),
12 is amended by striking out the words “Alaska, Hawaii,”
13 and inserting in lieu thereof the word “Hawaii”.

14 WATER POLLUTION CONTROL ACT

15 SEC. 28. (a) Paragraph (1) of section 5(h) of the
16 Federal Water Pollution Control Act (33 U.S.C., supp.
17 V. sec. 466d(h) (1)), relating to Federal share for pur-
18 poses of matching for program operation, is amended by
19 striking out “(excluding Alaska)” and inserting in lieu
20 thereof “(including Alaska)” and by striking out in clause
21 (B), “and Alaska”.

22 (b) Subsection (d) of section 11 of such Act (33
23 U.S.C., supp. V., sec. 466j (d)) is amended by striking
24 out “Alaska.”.

1 VETERANS' ADMINISTRATION

2 SEC. 29. (a) Title 38, United States Code, section
3 903 (b), is amended by striking out the words “, or to the
4 place of burial within Alaska if the deceased was a resident
5 of Alaska who had been brought to the United States as a
6 beneficiary of the Veteran's Administration for hospital or
7 domiciliary care”; by inserting the word “continental” im-
8 mediately before the words “United States” the second time
9 they appear in such section; and by inserting immediately
10 following the words “continental United States” in both
11 places where they appear in such section, the parenthetical
12 phrase “(including Alaska)”.

13 (b) Title 38, United States Code, section 2007 (c), is
14 amended by striking out the word “Alaska,”.

15 FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

16 SEC. 30. (a) Subsection (f) of section 3 of the Federal
17 Property and Administrative Services Act of 1949 (40
18 U.S.C. 472 (f)), is amended by striking out the words
19 “, Hawaii, Alaska,” and inserting in lieu thereof the words
20 “(including Alaska), Hawaii,”.

21 (b) Subsection (a) of section 702 of such Act (40
22 U.S.C., supp. V, sec. 522 (a)), is amended by striking out
23 the words “Territories of Alaska and Hawaii” and inserting
24 in lieu thereof the words “Territory of Hawaii”.

1 PUBLIC HEALTH SERVICE ACT

2 SEC. 31. (a) Subsection (f) of section 2 of the Public
3 Health Service Act (42 U.S.C. 201 (f)), relating to defini-
4 tion of State, is amended by striking out "Hawaii, Alaska,"
5 and inserting in lieu thereof "Hawaii," and by striking out
6 ", the District of Columbia, or Alaska" and inserting in lieu
7 thereof "or the District of Columbia".

8 (b) (1) Effective July 1, 1959, section 371 of the
9 Public Health Service Act, as added by the Alaska Mental
10 Health Enabling Act (42 U.S.C., supp. V, sec. 273), is
11 repealed.

12 (2) Subsection (a) of section 372 of such Act (42
13 U.S.C., supp. V, sec. 274 (a)) is amended by striking
14 out "the Territory of".

15 (3) Subsections (b), (c), and (e) of such section are
16 each amended by striking out "the Territory" each time it
17 appears and inserting in lieu thereof "Alaska".

18 (4) Such subsection (e) is further amended by strik-
19 ing out "the Territory's" and inserting in lieu thereof
20 "Alaska's".

21 (c) (1) Subsection (a) of section 631 of such Act (42
22 U.S.C., supp. V, sec. 291i (a)), relating to definition of
23 allotment percentage for purposes of allotments for construc-
24 tion, is amended by striking out "(excluding Alaska)" and
25 inserting in lieu thereof "(including Alaska)" and by strik-

1 ing out “for Alaska and Hawaii shall be 50 per centum
2 each” in clause (2) and inserting in lieu thereof “for Ha-
3 waii shall be 50 per centum”.

4 (2) Subsection (d) of such section, relating to defi-
5 nition of State, is amended by striking out “Alaska,”.

6 SOCIAL SECURITY ACT

7 SEC. 32. (a) Paragraph (8) of section 1101 (a) of
8 the Social Security Act (72 Stat. 1013, 1050), relating to
9 definition of Federal percentage for purposes of matching
10 for public assistance grants, is amended by striking out
11 “Alaska and” in clause (ii) of subparagraph (A) and by
12 striking out “(excluding Alaska)” in subparagraphs (A)
13 and (B) and inserting in lieu thereof “(including Alaska)”.

14 (b) (1) Subsection (a) of section 524 of the Social
15 Security Act (72 Stat. 1013, 1054), relating to definition
16 of allotment percentage for purposes of allotments for child
17 welfare services, is amended by striking out “50 per centum
18 in the case of Alaska and” in clause (B).

19 (2) Subsection (b) of such section, relating to defini-
20 tion of Federal share for purposes of matching for child
21 welfare services, is amended by striking out “50 per centum
22 in the case of Alaska and” in clause (2).

23 (3) Such subsections (a) and (b), and subsection (c)
24 of such section, relating to promulgation of Federal shares

1 and allotment percentages, are each amended by striking out
2 “(excluding Alaska)” and inserting in lieu thereof “(in-
3 cluding Alaska)”.

4 (c) (1) The last sentence of section 202 (i) of the Social
5 Security Act (42 U.S.C., supp. V, sec. 402 (i)), is amended
6 by striking out “forty-eight” and inserting in lieu thereof
7 “forty-nine”.

8 (2) Subsections (h) and (i) of section 210 of such Act
9 (42 U.S.C. 410 (h), (i)), relating to definitions of State
10 and United States for purposes of old-age, survivors, and
11 disability insurance, are each amended by striking out
12 “Alaska,”.

13 (d) (1) Paragraph (1) of section 1101 (a) of the
14 Social Security Act (42 U.S.C., supp. V, sec. 1301 (a)
15 (1)), relating to definition of State, is amended by strik-
16 ing out “Alaska, Hawaii,” and inserting in lieu thereof
17 “Hawaii”.

18 (2) Paragraph (2) of such section (42 U.S.C. 1301
19 (a) (2)), relating to definition of United States, is
20 amended by striking out “Alaska,”.

21 CONGRESSIONAL RECORD

22 SEC. 33. Section 73 of the Act of January 12, 1895,
23 as amended (44 U.S.C., supp. V, sec. 183), is further
24 amended by striking out the word “Alaska,”.

FEDERAL REGISTER

SEC. 34. Section 8 of the Federal Register Act (44 U.S.C., sec. 308), is amended by striking out the parenthetical phrase "(not including Alaska)" and inserting in lieu thereof the parenthetical phrase "(including Alaska)".

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act

1 of May 28, 1948, as amended (48 U.S.C. 485 and the fol-
2 lowing), which has not been completed by the date of enact-
3 ment of this Act, may be completed according to the terms
4 thereof.

5 SELECTIVE SERVICE

6 SEC. 36. Section 16 (b) of the Universal Military Train-
7 ing and Service Act, as amended (50 U.S.C. App., sec.
8 466 (b)), is further amended by striking out the word
9 "Alaska,".

10 REAL PROPERTY TRANSACTIONS

11 SEC. 37. Section 43 (c) of the Act of August 10, 1956
12 (50 U.S.C. App., supp. V, sec. 2285 (c)), is amended by
13 striking out the word "Alaska,".

14 RECREATION FACILITIES

15 SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat.
16 130), is hereby repealed. There are hereby authorized to
17 be appropriated for the fiscal year ending June 30, 1960,
18 such sums as may be necessary to complete the construction
19 of facilities described in section 1 of such Act, as amended by
20 the Act of August 30, 1957 (71 Stat. 510), if construction
21 was begun prior to June 30, 1959, and to maintain the
22 facilities pending their transfer pursuant to such section.

23 AIRCRAFT LOAN GUARANTEES

24 SEC. 39. Section 3 of the Act of September 7, 1957
25 (71 Stat. 629), is amended by striking out the words "Ter-

1 ritory of Alaska" and inserting in lieu thereof the words
2 "State of Alaska".

3 DEFENSE BASE ACT

4 SEC. 40. (a) Paragraph (2) and (3) of section 1 (a)
5 of the Defense Base Act, as amended (55 Stat. 622; 42
6 U.S.C. 1651 and the following), are amended by striking
7 out "Alaska;" in the parenthetical phrase in each paragraph.

8 (b) Paragraph (6) of section 1 (a) of that Act is
9 amended by striking out "or in Alaska or the Canal Zone".

10 (c) Section 1 (b) of that Act is amended by striking the
11 period at the end of paragraph (3), inserting in lieu thereof
12 a semicolon, and adding the following paragraph: "(4) the
13 term 'continental United States' means the States and the
14 District of Columbia."

15 TIMBER REMOVAL

16 SEC. 41. The Act of March 3, 1891 (26 Stat. 1093),
17 as amended (16 U.S.C. 607), is further amended by delet-
18 ing the words "Territory of Alaska" and the words "or
19 Territory" where they there appear and by inserting the
20 word "Alaska," after the words "In the State of".

21 WAR HAZARDS COMPENSATION ACT

22 SEC. 42. (a) Paragraphs (2), (3), and (5) of section
23 101 (a) of the War Hazards Compensation Act, as amended
24 (56 Stat. 1028; 42 U.S.C. 1701 and the following) are
25 amended by striking out "or in Alaska or the Canal Zone".

1 (b) Section 104 of that Act is amended by adding the
2 following new subsection at the end thereof:

3 “(c) The provisions of this section shall not apply with
4 respect to benefits on account of any injury or death occur-
5 ring within any State.”

6 (c) Section 201 of that Act is amended by adding the
7 following new subsection at the end thereof:

8 “(f) the term ‘continental United States’ means the
9 States and the District of Columbia.”

10 BUY AMERICAN ACT

11 SEC. 43. Section 1 (b) of Title III of the Act of March
12 3, 1933 (41 U.S.C. 10c (b)), is amended by striking out
13 the word “Alaska,”.

14 TRANSITIONAL GRANTS

15 SEC. 44. (a) In order to assist the State of Alaska in
16 accomplishing an orderly transition from Territorial status
17 to statehood, and in order to facilitate the assumption by the
18 State of Alaska of responsibilities hitherto performed in
19 Alaska by the Federal Government, there are hereby author-
20 ized to be appropriated to the President, for the purpose of
21 making transitional grants to the State of Alaska, the sum
22 of \$10,500,000 for the fiscal year ending June 30, 1960;
23 the sum of \$6,000,000 for each of the fiscal years ending
24 June 30, 1961, and June 30, 1962; and the sum of \$3,000,-

1 000 for each of the fiscal years ending June 30, 1963, and
2 June 30, 1964.

3 (b) The Governor of Alaska may submit to the Presi-
4 dent a request that a Federal agency continue to provide
5 services or facilities in Alaska for an interim period, pending
6 the provision of such services or facilities by the State of
7 Alaska. Such interim period shall not extend beyond June
8 30, 1964. In the event of such request, and in the event
9 of the approval thereof by the President, the President may
10 allocate, at his discretion, to such agency the funds necessary
11 to finance the provision of such services or facilities. Such
12 funds shall be allocated from appropriations made pursuant
13 to subsection (a) hereof, and the amount of such funds shall
14 be deducted from the amount of grants available to the State
15 of Alaska pursuant to such subsection.

16 (c) After the transfer or conveyance to the State of
17 Alaska of any property or function pursuant to the Act of
18 July 7, 1958 (72 Stat. 339), providing for the admission
19 of the State of Alaska into the Union, or pursuant to this
20 Act or any other law, and until June 30, 1964, the head of
21 the Federal agency having administrative jurisdiction of such
22 property prior to its transfer or conveyance may contract
23 with the State of Alaska for the performance by such agency,
24 on a reimbursable basis, of some or all of the functions

1 authorized to be performed by it in Alaska immediately pre-
2 ceding such conveyance or transfer.

3 TRANSFER OF PROPERTY

4 SEC. 45. If the President determines that any func-
5 tion performed by the Federal Government in Alaska has
6 been terminated or curtailed by the Federal Government
7 and that performance of such function or substantially the
8 same function has been or will be assumed by the State of
9 Alaska, the President may, until July 1, 1964, in his dis-
10 cretion, transfer and convey to the State of Alaska, without
11 reimbursement, any property or interest in property, real or
12 personal, situated in Alaska which is owned or held by the
13 United States in connection with such function, the transfer
14 of which function is authorized in this Act or the Act of
15 July 7, 1958.

16 CLAIMS COMMISSION

17 SEC. 46. (a) In the event that any disputes arise be-
18 tween the United States and the State of Alaska prior to
19 January 1, 1965, concerning the transfer, conveyance, or
20 other disposal of property to the State of Alaska pursuant
21 to section 6 (e) of the Act of July 7, 1958 (72 Stat. 339,
22 340), providing for the admission of the State of Alaska into
23 the Union, or pursuant to this Act, the President is author-
24 ized (1) to appoint by and with the advice and consent of
25 the Senate a temporary commission of three persons, to con-
26 sider, ascertain, adjust, determine, and settle such disputes,

1 and (2) to make such rules and regulations as may be neces-
2 sary to establish such temporary commission or as may be
3 necessary to terminate such temporary commission at the
4 conclusion of its duties. In carrying out its duties under this
5 section, such commission may hold such hearings, take such
6 testimony, sit and act at such times and places, and incur
7 such expenditures as the commission deems necessary. No
8 commission shall be appointed under authority of this sub-
9 section after June 30, 1965.

10 (b) The commission may, without regard to the civil-
11 service laws and the Classification Act of 1949, employ and
12 fix the compensation of such employees as it deems neces-
13 sary to carry out its duties under this section. The commis-
14 sion is authorized to use the facilities, information, and per-
15 sonnel of the departments, agencies, and establishments of
16 the executive branch of the United States Government which
17 it deems necessary to carry out its duties; and each such
18 department, agency, and instrumentality is authorized to
19 furnish such facilities, information, and personnel to the
20 commission upon request made by the commission. The
21 commission shall reimburse each such department, agency,
22 or instrumentality for the services of any personnel utilized.
23 The commission may establish such procedures, rules, and
24 regulations as may be necessary to carry out its duties under
25 this section.

1 (c) No member of such commission shall be an officer
2 or employee of the United States or of the State of Alaska.
3 Each member of the commission shall be paid compensation
4 at the rate of \$50 per day for each day spent in the work
5 of the commission, shall be reimbursed for actual and neces-
6 sary travel expenses, and shall receive a per diem allowance
7 in accordance with the provisions of the Travel Expense
8 Act of 1949, as amended, when away from his usual place
9 of residence.

10 (d) There are hereby authorized to be appropriated such
11 sums as may be necessary to enable the commission to per-
12 form its duties under this section.

13 EFFECTIVE DATES

14 SEC. 47. (a) The amendments made by paragraph
15 (2) of subsection (a) of section 18, by subsection (a) of
16 section 28, by paragraph (1) of subsection (c) of section
17 31, by subsections (a) and (b) of section 32, and, except as
18 provided in subsection (c) of this section, by subsection
19 (b) of section 24, shall be applicable in the case of promul-
20 gations of Federal shares, allotment percentages, allotment
21 ratios, and Federal percentages, as the case may be, made
22 after satisfactory data are available from the Department of
23 Commerce for a full year on the per capita income of Alaska,
24 and for this purpose such promulgations shall, before such
25 data for the full period required by the applicable statutory

1 provision as so amended are available from the Department
2 of Commerce, be based on satisfactory data available from
3 such Department for such one full year or, when such data
4 for a two-year period are available, for such two years.

5 (b) The amendments made by paragraphs (1) and (3)
6 of subsection (a) of section 18 shall be applicable, in the
7 case of allotments under section 302 (b) or 502 of the
8 National Defense Education Act of 1958, for fiscal years
9 beginning July 1, 1959, and, in the case of allotments under
10 section 302 (a) of such Act, in the case of allotments based
11 on allotment ratios, promulgated under such section 302 (a),
12 to which the amendment made by paragraph (2) of sub-
13 section (a) of section 18 of this Act is applicable.

14 (c) (1) The allotment percentage determined for Alaska
15 under section 11 (h) of the Vocational Rehabilitation Act,
16 as amended by this Act, for the first, second, third, and
17 fourth years for which the amendments made by this Act
18 are applicable to such section shall be increased by 76 per
19 centum, 64 per centum, 52 per centum, and 28 per centum,
20 respectively, of the difference between such allotment per-
21 centage for the year involved and 75 per centum.

22 (2) The Federal share for Alaska determined under
23 section 11 (i) of the Vocational Rehabilitation Act, as
24 amended by this Act, for the first year for which the amend-
25 ments made by this Act are applicable to such section shall

1 be increased by 70 per centum of the difference between
2 such Federal share for such year and 60 per centum.

3 (3) If such first year for which such amendments made
4 by this Act are applicable is any fiscal year ending prior
5 to July 1, 1962, the adjusted Federal share for Alaska for
6 such year for purposes of section 2(b) of the Vocational
7 Rehabilitation Act shall, notwithstanding the provisions of
8 paragraph (3) (A) of such section 2(b), be the Federal
9 share determined pursuant to paragraph (2) of this sub-
10 section.

11 (d) The amendments made by paragraphs (2) and
12 (3) of subsection (b), by subsection (c), and by paragraph
13 (4) of subsection (d) of section 18; by subsection (a) of
14 section 24; by subsection (b) of section 28; by subsection
15 (a), by subparagraphs (2), (3), and (4) of subsection
16 (b), and by paragraph (2) of subsection (c) of section 31;
17 by paragraph (2) of subsection (c) and by subsection (d)
18 of section 32; and, except as provided in subsection (b) of
19 this section by paragraph (1) of subsection (a) of section
20 18, shall be effective on January 3, 1959.

21 (e) The amendment made by paragraph (1) of sub-
22 section (c) of section 32 shall apply in the case of deaths
23 occurring on or after January 3, 1959.

24 (f) The amendments made by paragraph (1) of sub-

1 section (b) and paragraphs (1), (2), and (3) of subsec-
2 tion (d) of section 18 shall be applicable for fiscal years
3 beginning July 1, 1959.

4 (g) The amendments in sections 40 and 42 shall take
5 effect when enacted: *Provided, however,* That with respect to
6 injuries or deaths occurring on or after January 3, 1959,
7 and prior to the effective date of these amendments, claims
8 filed by employees engaged in the State of Alaska in any of
9 the employments covered by the Defense Base Act (and
10 their dependents) may be adjudicated under the Workmen's
11 Compensation Act of Alaska instead of the Defense Base
12 Act.

13 DEFINITION OF "CONTINENTAL UNITED STATES"

14 SEC. 48. Whenever the phrase "continental United
15 States" is used in any law of the United States enacted after
16 the date of enactment of this Act, it shall mean the forty-
17 nine States on the North American Continent and the Dis-
18 trict of Columbia, unless otherwise expressly provided.

19 OTHER SUBJECTS

20 SEC. 49. The amendment by this Act of certain statutes
21 by deleting therefrom specific references to Alaska or such
22 phrases as "Territory of Alaska" shall not be construed to
23 affect the applicability or inapplicability in or to Alaska of
24 other statutes not so amended.

1 SEPARABILITY

2 SEC. 50. If any provision of this Act, or the applica-
3 tion thereof to any person or circumstances, is held invalid,
4 the remainder of this Act, and the application of such pro-
5 vision to other persons or circumstances, shall not be affected
6 thereby.

Passed the House of Representatives June 1, 1959.

Attest: RALPH R. ROBERTS,
Clerk.

AN ACT

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

JUNE 2, 1959

Received; read twice and ordered to be placed on the calendar

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of June 3, 1959
86th-1st, No. 90

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HIGHLIGHTS: Senate passed agricultural appropriation bill. Both Houses agreed to conference report on Treasury-Post Office appropriation bill. Sen. Murray criticized Secretary's surplus food distribution policies. Senate committee voted to report bill to extend FHA authority for refinancing loans. Sens. Humphrey and Symington introduced and Sen. Humphrey discussed bill to transfer surplus food distribution activities to HEW.

SENATE

1. **AGRICULTURAL APPROPRIATION BILL, 1960.** Passed with amendments, 74 to 10, this bill, H. R. 7175 (pp. 8701-13).

Agreed to an amendment by Sen. Allott to provide that \$15,000 of the funds for AMS marketing services shall be available for range and feedlot market reporting in Colorado and adjacent areas (pp. 8701-2).

Agreed to a "clarifying amendment" by Sen. Russell to provide that the \$1 million for ARS to provide for additional labor to be employed under contracts and cooperative agreements to strengthen the work at research installations in the field may be used by ARS "in Departmental research programs" (p. 8704).

A point of order by Sen. Young, N. Dak., was sustained against an amendment by Sen. Douglas which would have provided that in carrying out the price support programs required by law no funds or stocks of CCC shall be utilized for the

purpose of carrying out price support operations for any crop planted after Jan. 1, 1960, for which expected production for such year exceed domestic consumption plus normal exports, plus set-asides required by law for national emergency purposes, by more than 3 percent, and for which the Secretary has failed to provide acreage allotments, production goals, and marketing practices pursuant to sec. 401 (c) of the Agricultural Act of 1949, as amended (pp. 8704-09).

Rejected, 37 to 48, an amendment by Sen. Williams, Del., to reduce from \$450 million to \$375 million the limitation on the conservation reserve authorization for payments to producers in any calendar year (pp. 8702-04).

Conferees were appointed (p. 8710). House conferees have not yet been appointed.

2. TREASURY-POST OFFICE APPROPRIATION BILL, 1960. Both Houses agreed to the conference report on this bill, H. R. 5805 (pp. 8715, 8739). This bill will now be sent to the President.
3. SURPLUS FOODS. Sen. Murray called attention to hearings to be held by the Agriculture and Forestry Committee on S. 1884, to transfer authority from this Department to HEW for the distribution of surplus commodities to the needy, criticized this Department's administration of the surplus food distribution program, and inserted the text of a letter from this Department opposing S. 661 to authorize CCC to process food commodities for donation purposes. pp. 8692-3
4. THE AGRICULTURE AND FORESTRY COMMITTEE voted to report (but did not actually report) the following bills: p. D428.
 - S. 1941, without amendment, to extend sec. 17 of the Bankhead-Jones Farm Tenant Act for two years so as to permit real estate loans by FHA for re-financing farm debts.
 - S. 864, with amendment, to authorize this Department to dispose of animals infected or exposed to communicable diseases dangerous to livestock or poultry.
 - S. 1512, with amendment, to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks.
 - S. 1513, with amendment, to clarify the status of the Federal land banks, Federal intermediate credit banks, and banks for cooperatives and their officers and employees with respect to certain laws applicable generally to the U. S. and its officers and employees.
 - S. 1521, with amendment, to provide for the removal of restrictions on use with respect to a tract of land in Cumberland Co., Tenn., formerly under the jurisdiction of FHA, which was conveyed to Tenn.
5. ALASKA. Passed with amendments S. 1541, to amend laws of the U. S. in light of the admission of Alaska into the Union (pp. 8715-21, 8737-8).
 - Agreed to an amendment by Sen. Gruening to clarify the conditions under which property utilized on functions curtailed by the Federal Government in Alaska may be transferred to the State. Sen. Gruening stated that the purpose of the amendment was to make clear that it provides "for the transfer of property, and not for the transfer of government functions." (pp. 8720-1).
 - Agreed to a motion by Sen. Jackson to substitute the language of the bill as passed for the text of a similar bill, H. R. 7120, as passed by the House. H. R. 7120 was then passed. S. 1541 was indefinitely postponed. (p. 8721).
6. BUDGET. Sen. Bridges inserted an editorial favoring his bill to require the President to submit a balanced budget. p. 8737

who sponsored the Scientific Conferences on the Peaceful Atom, who gave the impetus of support to the program to control the fusion reaction for power development, who never hesitated to stand by an unpopular cause when it was his duty in the national interest, is that man an enemy of the people?

It seems to me we should look to our own accomplishments and our own record. What are the criteria for judging a man to be an enemy of the people?

I say to you, Mr. President, that history will be confounded by the judgment of the distinguished Senator from Oregon. Let us not make the mistake of being so misled by him that we do an unparalleled injustice to Mr. Strauss.

TREASURY AND POST OFFICE DEPARTMENTS AND TAX COURT APPROPRIATION BILL—CONFERENCE REPORT

Mr. ROBERTSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5805) making appropriations for the Treasury and Post Office Departments and the Tax Court of the United States for the fiscal year ending June 30, 1960, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of June 2, 1959, pp. 8620-8621, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ROBERTSON. Mr. President, I move that the report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Virginia.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. ROBERTSON. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider the vote by which the conference report was agreed to.

The motion to lay on the table was agreed to.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a table on the Treasury-Post Office appropriation bill. The table reflects, by each appropriation item, the amount voted by the House of Representatives, the amount voted by the Senate, and the amount agreed to by the conference committee.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Treasury-Post Office appropriation bill, 1960 (H.R. 5805)

	Budget estimate	House Bill	Senate Bill	Conference action
TREASURY DEPARTMENT				
TITLE I				
Office of the Secretary: Salaries and expenses.....	\$3,300,000	\$3,300,000	\$3,300,000	\$3,300,000
Bureau of Accounts:				
Salaries and expenses.....	3,464,000	3,464,000	3,464,000	3,464,000
Division of Disbursement: Salaries and expenses.....	22,280,000	21,500,000	22,000,000	22,000,000
Total, Bureau of Accounts.....	25,744,000	24,964,000	25,464,000	25,464,000
Bureau of the Public Debt, Administering the Public Debt.....	47,500,000	47,000,000	47,000,000	47,000,000
Office of the Treasurer, United States: Salaries and expenses.....	17,750,000	17,500,000	17,500,000	17,500,000
Bureau of Customs: Salaries and expenses.....	53,865,000	53,865,000	53,865,000	53,865,000
Internal Revenue Service: Salaries and expenses.....	365,500,000	363,000,000	365,500,000	364,250,000
Bureau of Narcotics: Salaries and expenses.....	4,080,000	4,080,000	4,080,000	4,080,000
U.S. Secret Service:				
Salaries and expenses.....	4,100,000	4,000,000	4,032,000	4,016,000
Salaries and expenses, White House Police.....	1,055,000	1,055,000	1,055,000	1,055,000
Salaries and expenses, guard force.....	338,000	338,000	338,000	338,000
Total, U.S. Secret Service.....	5,493,000	5,393,000	5,425,000	5,409,000
Bureau of the Mint: Salaries and expenses.....	4,300,000	4,300,000	4,300,000	4,300,000
U.S. Coast Guard:				
Operating expenses.....	¹ 190,780,000	² 189,000,000	189,000,000	189,000,000
Acquisition, construction, and improvement.....	¹ 24,500,000	² 22,000,000	³ 24,500,000	⁴ 23,250,000
Retired pay.....	29,000,000	29,500,000	29,500,000	29,500,000
Reserve training.....	15,000,000	15,500,000	15,500,000	15,500,000
Total, Coast Guard.....	260,180,000	256,000,000	258,500,000	257,250,000
Total.....	787,712,000	779,402,000	784,934,000	782,418,000
POST OFFICE DEPARTMENT				
TITLE II				
Administration, regional operation, and research.....	72,600,000	71,500,000	72,398,600	71,750,000
Operations.....	3,010,000,000	2,988,000,000	2,993,000,000	2,993,000,000
Transportation.....	527,320,000	524,000,000	524,000,000	524,000,000
Facilities.....	200,660,000	188,660,000	194,660,000	190,660,000
Postal modernization.....	⁵ 88,500,000	² 75,000,000	³ 88,500,000	⁴ 80,000,000
Public services.....	(172,000,000)		(37,400,000)	(37,400,000)
Total.....	3,899,080,000	3,847,160,000	3,877,558,600	3,859,410,000
TAX COURT OF THE UNITED STATES				
TITLE III				
Salaries and expenses.....	1,535,000	1,535,000	1,535,000	1,535,000
Grand total, Treasury, Post Office, and Tax Court.....	4,688,327,000	4,628,097,000	4,664,027,600	4,643,363,000

¹ Language limiting annual accrued expenditures.

² House deleted language.

³ Senate restored language.

⁴ Deleted language.

⁵ Language providing "no year" funds.

Administrative expenses of Government corporations (limitation on amount of corporate funds to be expended)

Corporation	Estimate	House bill	Senate bill	Conference.
Liquidation of RFC.....	(\$95,000)	(\$90,000)	(\$90,000)	(\$90,000)

AMENDMENT OF CERTAIN LAWS AFFECTING THE STATE OF ALASKA

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 318, Senate bill 1541. My purpose is to have the bill made the pending business.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1541) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1541) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 5, after "Sec. 2.", to insert "(a)"; on page 2, after line 4, to insert:

(b) Section 6(e) of said Act is amended by striking out the word "legislative" and inserting in lieu thereof the word "calendar".

On page 8, after line 8, to insert:

(d) Title 18 United States Code, section 1385, is amended by deleting the last sentence thereof.

On page 11, line 17, after the word "section", to strike out "40" and insert "44"; on page 15, line 17, after the letter "(a)", to strike out "Title 28, United States Code, section 48, is amended by striking out the word "Seattle." and inserting in lieu thereof the words "Seattle, Anchorage," and, in lieu thereof to insert "The Judicial Conference of the United States, with the assistance of the Administrative Office of the United States Courts, shall conduct a study, including a field survey, of the Federal judicial business arising in the State of Alaska with a view toward authorizing the United States Court of Appeals for the Ninth Circuit to hold such terms of court in Anchorage or such other Alaskan cities as may be necessary for the prompt and efficient administration of justice."; on page 16, line 18, after the word "court", to insert "and approved by the Administrative Office of the United States Courts"; at the top of page 25, to insert:

DEFENSE BASE ACT

SEC. 40. (a) Paragraph (2) and (3) of section 1(a) of the Defense Base Act, as amended (55 Stat. 622; 42 U.S.C. 1651 and the following), are amended by striking out "Alaska;" in the parenthetical phrase in each paragraph.

(b) Paragraph (6) of section 1(a) of that Act is amended by striking out "or in Alaska or the Canal Zone".

(c) Section 1(b) of that Act is amended by striking the period at the end of paragraph (3), inserting in lieu thereof a semicolon, and adding the following paragraph: "(4) the term 'continental United States' means the States and the District of Columbia."

After line 12, to insert:

TIMBER REMOVAL

SEC. 41. The Act of March 3, 1891 (26 Stat. 1093), as amended (16 U.S.C. 607), is further amended by deleting the words "Territory of Alaska" and the words "or Territory" where they there appear and by inserting the word "Alaska," after the words "In the State of".

After line 18, to insert:

WAR HAZARDS COMPENSATION ACT

SEC. 42. (a) Paragraphs (2), (3), and (5) of section 101(a) of the War Hazards Compensation Act, as amended (56 Stat. 1028; 42 U.S.C. 1701 and the following), are amended by striking out "or in Alaska or the Canal Zone".

(b) Section 104 of that Act is amended by adding the following new subsection at the end thereof:

"(c) The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State."

(c) Section 201 of that Act is amended by adding the following new subsection at the end thereof:

"(f) the term 'continental United States' means the States and the District of Columbia."

On page 26, after line 9, to insert:

BUY AMERICAN ACT

SEC. 43. Section 1(b) of Title III of the Act of March 3, 1933 (41 U.S.C. 10c(b)), is amended by striking out the word "Alaska,".

At the beginning of line 15, to change the section number from "40" to "44";

on page 27, line 1, after the word "of", where it appears the first time, to strike out "\$2,500,000" and insert "\$3,000,000"; on page 28, in line 4, after "Sec.", to strike out "41" and insert "45. (a)"; in line 6, after the word "terminated", to insert "or curtailed"; after line 13, to insert:

(b) Structures and improvements of block 32 of the city of Juneau granted to the State of Alaska by section 6(c) of the Act providing for the admission of Alaska into the Union (72 Stat. 339, 340) shall include all furnishings and equipment in the structure known as the Governor's mansion, or used in the operation or maintenance thereof.

At the beginning of line 21, to change the section number from "42" to "46"; in line 22, after the name "Alaska", to insert "prior to January 1, 1965"; on page 29, at the beginning of line 3, to strike out "to appoint a temporary commission of three persons to consider, ascertain, adjust, determine, and settle such disputes." and insert "(1) to appoint by and with the advice and consent of the Senate a temporary commission of three persons, to consider, ascertain, adjust, determine, and settle such disputes, and (2) to make such rules and regulations as may be necessary to establish such temporary commission or as may be necessary to terminate such temporary commission at the conclusion of its duties."; in line 14, after the word "necessary.", to strike out "Any settlement made by such commission under the authority of this section shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary." and, in lieu thereof, to insert "No commission shall be appointed under authority of this subsection after June 30, 1965."; on page 30, at the beginning of line 8, to insert "The commission may establish such procedures, rules, and regulations as may be necessary to carry out its duties under this section."; at the beginning of line 13, to insert "Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission."; in line 24, after the letter "(d)", to strike out "The President is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section."; on page 31, at the beginning of line 5, to change the section number from "43" to "47"; on page 33, after line 17, to insert:

(g) The amendments in sections 40 and 42 shall take effect when enacted: *Provided, however,* That with respect to injuries or deaths occurring on or after January 3, 1959, and prior to the effective date of these amendments, claims filed by employees engaged in the State of Alaska in any of the employments covered by the Defense Base Act (and their dependents) may be adjudicated under the Workmen's Compensation Act of Alaska instead of the Defense Base Act.

On page 34, at the beginning of line 2, to change the section number from "44" to "48"; after line 6, to insert:

OTHER SUBJECTS

SEC. 49. The amendment by this Act of certain statutes by deleting therefrom spe-

cific references to Alaska or such phrases as "Territory of Alaska" shall not be construed to affect the applicability or inapplicability in or to Alaska of other statutes not so amended.

And, at the beginning of line 14, to change the section number from "45" to "50"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Omnibus Act".

FEDERAL JURISDICTION

SEC. 2. (a) Section 4 of the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, is amended by striking out the words "all such lands or other property, belonging to the United States or which may belong to said natives", and inserting in lieu thereof the words "all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives".

(b) Section 6(e) of said Act is amended by striking out the word "legislative" and inserting in lieu thereof the word "calendar".

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

SEC. 3. Any Territorial law, as that term is defined in section 8(d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union—

(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

(b) the application of which to the State of Alaska is continued solely by reason of such section 8(d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the Legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

SUGAR ACT

SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection "(o)" and to read as follows:

"(o) The term 'continental United States' means the 49 States and the District of Columbia."

SOIL BANK ACT

SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C., supp. V, sec. 1837), is amended to read as follows: "This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term 'State' includes Hawaii, Puerto Rico, and the Virgin Islands."

ARMED FORCES

SEC. 6. (a) Title 10, United States Code, section 101(2), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii".

(b) Title 10, United States Code, sections 802(11) and 802(12), are each amended by striking out the words "that part of Alaska east of longitude 172 degrees west,".

(c) Title 10, United States Code, section 2662(c), is amended by striking out the word "Alaska,".

NATIONAL BANK ACT

SEC. 7. Section 5192 of the Revised Statutes, as amended (12 U.S.C. 144), is further amended by striking out the words "in Alaska or".

FEDERAL RESERVE ACT

SEC. 8. (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C. 221), is

further amended by deleting the period at the end of such action and inserting in lieu thereof the following: "; the term 'the continental United States' means the States of the United States and the District of Columbia."

(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C. 466), is further amended by striking the words "in Alaska or".

HOME LOAN BANK BOARD

SEC. 9. (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1422 (3)), is further amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii."

(b) Section 7 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1466), is further amended by striking out the words "continental United States, to the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "continental United States (including Alaska), to the Territory of Hawaii."

NATIONAL HOUSING ACT

SEC. 10. The National Housing Act is amended by—

(a) striking out the word "Alaska," in sections 9, 201(d), 207(a)(7), 601(d), 713(q), and 801(g) (12 U.S.C., secs. 1706d, 1707(d), 1713(a)(7), 1736(d), 1747 1(q); supp. V, sec. 1748(g));

(b) striking out the words "the Territory of Alaska," in section 207(c)(2) (12 U.S.C., supp. V, sec. 1713(c)(2)), and inserting the word "Alaska" in lieu thereof;

(c) by striking out the words "the Territory of Alaska or in Guam" in section 214 (12 U.S.C., supp. V, sec. 1715d; 48 U.S.C., supp. V, sec. 484d), and inserting the words "Alaska, Guam," in lieu thereof; and

(d) striking out the word "Territory" in the two places where it appears in section 806 (12 U.S.C., supp. V, sec. 1748e), and inserting the word "State" in lieu thereof.

COAST GUARD

SEC. 11. Title 14, United States Code, section 634(b), is amended by striking out the words "and for the territory of" in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

SEC. 12. (a) Paragraph (6) of section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b (6)), is further amended by striking out the word "Alaska,".

(b) Paragraph (16) of section 3(a) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c(a)(16)), is further amended by striking out the word "Alaska,".

(c) Paragraph (18) of section 202(a) of the Investment Advisers Act of 1940, as amended (15 U.S.C. 80b-2(a)(18)), is further amended by striking out the word "Alaska,".

(d) Paragraph (37) of section 2(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-2(a)(37)), is further amended by striking out the word "Alaska,".

(e) Paragraph (1) of section 6(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-6(a)(1)), is further amended by striking out the word "Alaska,".

SOIL CONSERVATION

SEC. 13. (a) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C., supp. V, sec. 590h(b)), is further amended by inserting, immediately following the words "continental United States", the words ", except in Alaska".

(b) Section 17(a) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590q(a)), is further amended by striking out the words "the United States, the Territories of Alaska and Hawaii" and

inserting in lieu thereof the words "the States, the Territory of Hawaii", and by striking out the word "Alaska" the second time it appears therein.

BALD EAGLES

SEC. 14. Section 1 of the Act of June 8, 1940 (16 U.S.C. 668), is amended by striking out the words "except the Territory of Alaska,".

WILDLIFE RESTORATION

SEC. 15. Section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

FISH RESTORATION

SEC. 16. Section 12 of the Act of August 9, 1950, as amended (16 U.S.C., supp. V, sec. 777k), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,".

CRIMINAL CODE

SEC. 17. (a) Title 18, United States Code, section 5024, is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska".

(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

(d) Title 18 United States Code, section 1385, is amended by deleting the last sentence thereof.

EDUCATION

SEC. 18. (a)(1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out "Alaska," each time it appears.

(2) Paragraph (3)(B) of section 302(a) of such Act (72 Stat. 1580, 1588), relating to definition of continental United States for purposes of allotments for science, mathematics and modern foreign language instruction equipment, is amended by striking out "does not include Alaska" and inserting in lieu thereof "includes Alaska".

(3) Section 1008 of such Act (72 Stat. 1580, 1605), relating to allotments to territories, is amended by striking out "Alaska,".

(b)(1) Section 4 of the Act of February 23, 1917 (20 U.S.C. 14), relating to allotments for teacher-training, is amended by striking out "\$90,000" and inserting in lieu thereof "\$98,500". The proviso in the last paragraph of section 5 of such Act (20 U.S.C. 16) and so much of section 12 of such Act (20 U.S.C. 22) as follows the last semicolon shall not be applicable to Alaska prior to the third fiscal year which begins after the enactment of this Act.

(2) Paragraph (1) of section 2 of the Vocational Education Act of 1946 (20 U.S.C. 151), relating to definition of States and Territories, is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(3) Subsection (e) of section 210 (20 U.S.C., supp. V, sec. 15jj(e)), and subsection (a) of section 307 of such Act (72 Stat. 1580, 1600), relating to definition of State, are each amended by striking out "Alaska,".

(c) Paragraph (13) of section 15 of the Act of September 23, 1950, as amended (72 Stat. 548, 558), relating to definition of State, is amended by striking out "Alaska,".

(d)(1) The material in the parentheses in the first sentence of subsection (d) of section 3 of the Act of September 30, 1950, as amended, relating to determination of local contribution rate, is amended to read: "(other than a local educational agency in Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency)".

(2) The fourth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the first time it appears in such sentence. The fifth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the second time it appears in such sentence.

(3) The last sentence of such subsection is amended by striking out "Alaska," and by inserting after "the Virgin Islands," the following: "or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency,".

(4) Paragraph (8) of section 9 of such Act (20 U.S.C., supp. V, sec. 244 (8)), relating to definition of State, is amended by striking out "Alaska,".

IMPORTATION OF MILK AND CREAM

SEC. 19. Subsection (b) of section 9 of the Act of February 15, 1927 (21 U.S.C. 149(b)), is amended by inserting the words ", including Alaska" immediately following the words "continental United States".

OPIUM POPPY CONTROL

SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C. 188k) is amended by deleting therefrom the words "the Territory of Alaska,".

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (1) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 44 of this Act; and (2) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

(b) Notwithstanding any other provision of this section, any contract entered into by the Federal Government in connection with the activities of the Bureau of Public Roads in Alaska which has not been completed on the date of the transfer provided under subsection (a) hereof may be completed according to the terms thereof.

(c)(1) The State of Alaska shall be responsible for the maintenance of roads, including bridges, tunnels, and ferries, transferred to it under subsection (a) of this section, as long as any such road is needed for highway purposes.

(2) Federal-aid funds apportioned to Alaska under title 23, United States Code, for fiscal year 1960 and prior fiscal years, and unobligated on the date of enactment of this Act, may be used for maintenance

of highways on the Federal-aid systems in Alaska.

(d) Effective July 1, 1959, the following provisions of law are repealed:

(1) Title 23, United States Code, section 103(f);

(2) Title 23, United States Code, section 116(d);

(3) Title 23, United States Code, section 119;

(4) Title 23, United States Code, section 120(h), except that the portion of the first sentence thereof relating to the percentage of funds to be contributed by Alaska shall continue to apply to funds apportioned to Alaska for fiscal year 1960 and prior fiscal years;

(5) Sections 107(b) and (d) of the Federal-Aid Highway Act of 1956 (70 Stat. 374, 377, 378);

(6) Section 2 of the Act of January 27, 1905 (33 Stat. 616), as amended (48 U.S.C. 322 and the following); and

(7) The Act of June 30, 1932 (47 Stat. 446), as amended (48 U.S.C. 321(a) and the following).

(e) Effective on July 1, 1959, the following provisions of law are amended:

(1) The definition of the term "State" in title 23, United States Code, section 101(a), is amended to read as follows:

"The term 'State' means any one of the forty-nine States, the District of Columbia, Hawaii, or Puerto Rico."

(2) Title 23, United States Code, section 104(b), is amended by deleting the phrase "except that only one-third of the area of Alaska shall be included" where it appears in paragraphs (1) and (2) of said section 104(b);

(3) Title 23, United States Code, section 116(a), is amended by deleting the phrase "except as provided in subsection (d) of this section," and by capitalizing the word "it" immediately following such phrase; and

(4) Title 23, United States Code, section 120(a), is amended by deleting the phrase "subsections (d) and (h)" and by inserting in lieu thereof the phrase "subsection (d)".

INTERNAL REVENUE

SEC. 22. (a) Section 2202 of the Internal Revenue Code of 1954 (relating to missionaries in foreign service), and sections 3121 (e)(1), 3306(j), 4221(d)(4), and 4233(b) of such Code (each relating to a special definition of "State") are amended by striking out "Alaska."

(b) Section 4262(c)(1) of the Internal Revenue Code of 1954 (definition of "continental United States") is amended to read as follows:

"(1) CONTINENTAL UNITED STATES.—The term 'continental United States' means the District of Columbia and the States other than Alaska."

(c) Section 4502(5) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Hawaii and Alaska" and by inserting in lieu thereof "the Territory of Hawaii".

(d) Section 4774 of the Internal Revenue Code of 1954 (relating to territorial extent of law) is amended by striking out "the Territory of Alaska."

(e) Section 7621(b) of the Internal Revenue Code of 1954 (relating to boundaries of internal revenue districts) is amended to read as follows:

"(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite into one district two or more States or a Territory and one or more States."

(f) Section 7653(d) of the Internal Revenue Code of 1954 is amended by striking out "its Territories or possessions" and inserting in lieu thereof "its possessions or the Territory of Hawaii".

(g) Section 7701(a)(9) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(h) Section 7701(a)(10) of the Internal Revenue Code of 1954 (relating to definition of State) is amended by striking out "Territories" and inserting in lieu thereof "Territory of Hawaii".

(i) The amendments contained in subsections (a) through (h) of this section shall be effective as of January 3, 1959.

COURTS

SEC. 23. (a) The Judicial Conference of the United States, with the assistance of the Administrative Office of the United States Courts, shall conduct a study, including a field survey, of the Federal judicial business arising in the State of Alaska with a view toward authorizing the United States Court of Appeals for the Ninth Circuit to hold such terms of court in Anchorage or such other Alaskan cities as may be necessary for the prompt and efficient administration of justice.

(b) Title 28, United States Code, section 81A, is amended by inserting the word "Ketchikan," immediately following the word "Juneau."

(c) Such authority as has been exercised by the Attorney General heretofore, with regard to the Federal court system in Alaska, pursuant to section 30 of the Act of June 6, 1900 (48 U.S.C. 25), shall continue to be exercised by him after the court created by section 12(b) of the Act of July 7, 1958 (72 Stat. 339, 348), providing for the admission of the State of Alaska into the Union, is established.

(d) All balances of public moneys received by the clerks of each division of the District Court for the Territory of Alaska pursuant to section 10 of the Act of June 6, 1900, as amended (48 U.S.C. 107), which are on hand after all payments ordered by that court and approved by the Administrative Office of the United States Courts shall have been made, shall be covered into the Treasury of the United States as required by law, and the Secretary of the Treasury shall pay the amounts so covered, which are hereby appropriated, to the State of Alaska.

VOCATIONAL REHABILITATION ACT

SEC. 24. (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act (29 U.S.C., supp. V, sec. 41(g)), relating to definition of State, is amended by striking out "Alaska."

(b)(1) Subsection (i) and paragraph (1) of subsection (h) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(2) Paragraph (1) of such subsection (h) is further amended by striking out "Alaska."

(3) Such subsection (i) is further amended by striking out "Hawaii and Alaska" in clause (B) and inserting in lieu thereof "Hawaii".

GOLD RESERVE ACT

SEC. 25. Section 15 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 444), is further amended by striking out the words "the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

SILVER PURCHASE ACT

SEC. 26. Section 10 of the Silver Purchase Act of 1934 (31 U.S.C. 448b), is amended by striking out the words "the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia".

NATIONAL GUARD

SEC. 27. Title 32, United States Code, section 101(1), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii".

WATER POLLUTION CONTROL ACT

SEC. 28. (a) Paragraph (1) of section 5(h) of the Federal Water Pollution Control Act (33 U.S.C., supp. V, sec. 466d(h)(1)), relating to Federal share for purposes of matching for program operation, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out, in clause (B), "and Alaska".

(b) Subsection (d) of section 11 of such Act (33 U.S.C., supp. V, sec. 466j(d)), is amended by striking out "Alaska."

VETERANS' ADMINISTRATION

SEC. 29. (a) Title 38, United States Code, section 903(b), is amended by striking out the words "or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care"; by inserting the word "continental" immediately before the words "United States" the second time they appear in such section; and by inserting, immediately following the words "continental United States" in both places where they appear in such section, the parenthetical phrase "(including Alaska)".

(b) Title 38, United States Code, section 2007(c), is amended by striking out the word "Alaska."

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

SEC. 30. (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(f)), is amended by striking out the words "Hawaii, Alaska," and inserting in lieu thereof the words "(including Alaska), Hawaii,".

(b) Subsection (a) of section 702 of such Act (40 U.S.C., supp. V, sec. 522(a)), is amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii".

PUBLIC HEALTH SERVICE ACT

SEC. 31. (a) Subsection (f) of section 2 of the Public Health Service Act (42 U.S.C. 201(f)), relating to definition of State, is amended by striking out "Hawaii, Alaska," and inserting in lieu thereof "Hawaii," and by striking out "the District of Columbia, or Alaska" and inserting in lieu thereof "or the District of Columbia".

(b)(1) Effective July 1, 1959, section 371 of the Public Health Service Act, as added by the Alaska Mental Health Enabling Act (42 U.S.C., supp. V, sec. 273), is repealed.

(2) Subsection (a) of section 372 of such Act (42 U.S.C., supp. V, sec. 274(a)), is amended by striking out "the Territory of".

(3) Subsections (b), (c), and (e) of such section are each amended by striking out "the Territory" each time it appears and inserting in lieu thereof "Alaska".

(4) Such subsection (e) is further amended by striking out "the Territory's" and inserting in lieu thereof "Alaska's".

(c)(1) Subsection (a) of section 631 of such Act (42 U.S.C., supp. V, sec. 2911(a)), relating to definition of allotment percentage for purposes of allotments for construction, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out "for Alaska and Hawaii shall be 50 per centum each" in clause (2) and inserting in lieu thereof "for Hawaii shall be 50 per centum".

(2) Subsection (d) of such section, relating to definition of State, is amended by striking out "Alaska."

SOCIAL SECURITY ACT

SEC. 32. (a) Paragraph (8) of section 1101(a) of the Social Security Act (72 Stat.

1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out "Alaska and" in clause (ii) of subparagraph (A) and by striking out "(excluding Alaska)" in subparagraphs (A) and (B) and inserting in lieu thereof "(including Alaska)".

(b)(1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (B).

(2) Subsection (b) of such section, relating to definition of Federal share for purposes of matching for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (2).

(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares and allotment percentages, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(c)(1) The last sentence of section 202(i) of the Social Security Act (42 U.S.C., supp. V, sec. 402(i)), is amended by striking out "forty-eight" and inserting in lieu thereof "forty-nine".

(2) Subsections (h) and (i) of section 210 of such Act (42 U.S.C. 410(h), (i)), relating to definitions of State and United States for purposes of old-age, survivors, and disability insurance, are each amended by striking out "Alaska".

(d)(1) Paragraph (1) of section 1101(a) of the Social Security Act (42 U.S.C., supp. V, sec. 1301(a)(1)), relating to definition of State, is amended by striking out "Alaska, Hawaii," and inserting in lieu thereof "Hawaii".

(2) Paragraph (2) of such section (42 U.S.C. 1301(a)(2)), relating to definition of United States, is amended by striking out "Alaska".

CONGRESSIONAL RECORD

SEC. 33. Section 73 of the Act of January 12, 1895, as amended (44 U.S.C., supp. V, sec. 183), is further amended by striking out the word "Alaska".

FEDERAL REGISTER

SEC. 34. Section 8 of the Federal Register Act (44 U.S.C. 308) is amended by striking out the parenthetical phrase "(not including Alaska)" and inserting in lieu thereof the parenthetical phrase "(including Alaska)".

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), which has not been completed by the date of enactment of this Act, may be completed according to the terms thereof.

SELECTIVE SERVICE

SEC. 36. Section 16(b) of the Universal Military Training and Service Act, as amended (50 U.S.C., app., sec. 466(b)), is further amended by striking out the word "Alaska".

REAL PROPERTY TRANSACTIONS

SEC. 37. Section 43(c) of the Act of August 10, 1956 (50 U.S.C., app., supp. V, sec. 2285(c)), is amended by striking out the word "Alaska".

RECREATION FACILITIES

SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat. 130), is hereby repealed. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1960, such sums as may be necessary to complete the construction of facilities described in section 1 of such Act, as amended by the Act of August 30, 1957 (71 Stat. 510), if construction was begun prior to June 30, 1959, and to maintain the facilities pending their transfer pursuant to such section.

AIRCRAFT LOAN GUARANTEES

SEC. 39. Section 3 of the Act of September 7, 1957 (71 Stat. 629), is amended by striking out the words "Territory of Alaska" and inserting in lieu thereof the words "State of Alaska".

DEFENSE BASE ACT

SEC. 40. (a) Paragraph (2) and (3) of section 1(a) of the Defense Base Act, as amended (55 Stat. 622; 42 U.S.C. 1651 and the following), are amended by striking out "Alaska;" in the parenthetical phrase in each paragraph.

(b) Paragraph (6) of section 1(a) of that Act is amended by striking out "or in Alaska or the Canal Zone".

(c) Section 1(b) of that Act is amended by striking the period at the end of paragraph (3), inserting in lieu thereof a semicolon, and adding the following paragraph: "(4) the term 'continental United States' means the States and the District of Columbia."

TIMBER REMOVAL

SEC. 41. The Act of March 3, 1891 (26 Stat. 1093), as amended (16 U.S.C. 607), is further amended by deleting the words "Territory of Alaska" and the words "or Territory" where they there appear and by inserting the word "Alaska," after the words "In the State of".

WAR HAZARDS COMPENSATION ACT

SEC. 42. (a) Paragraphs (2), (3), and (5) of section 101(a) of the War Hazards Compensation Act, as amended (56 Stat. 1028; 42 U.S.C. 1701 and the following) are amended by striking out "or in Alaska or the Canal Zone".

(b) Section 104 of that Act is amended by adding the following new subsection at the end thereof:

"(c) The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State."

(d) Section 201 of that Act is amended by adding the following new subsection at the end thereof:

"(f) the term 'continental United States' means the States and the District of Columbia."

BUY AMERICAN ACT

SEC. 43. Section 1(b) of Title III of the Act of March 3, 1933 (41 U.S.C. 10c(b)), is amended by striking out the word "Alaska".

TRANSITIONAL GRANTS

SEC. 44. (a) In order to assist the State of Alaska in accomplishing an orderly transition from Territorial status to statehood, and in order to facilitate the assumption by the State of Alaska of responsibilities hitherto performed in Alaska by the Federal Government, there are hereby authorized to be appropriated to the President, for the purpose

of making transitional grants to the State of Alaska, the sum of \$10,500,000 for the fiscal year ending June 30, 1960; the sum of \$6,000,000 for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$3,000,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964.

(b) The Governor of Alaska may submit to the President a request that a Federal agency continue to provide services or facilities in Alaska for an interim period, pending the provision of such services or facilities by the State of Alaska. Such interim period shall not extend beyond June 30, 1964. In the event of such request, and in the event of the approval thereof by the President, the President may allocate, at his discretion, to such agency the funds necessary to finance the provision of such services or facilities. Such funds shall be allocated from appropriations made pursuant to subsection (a) hereof, and the amount of such funds shall be deducted from the amount of grants available to the State of Alaska pursuant to such subsection.

(c) After the transfer or conveyance to the State of Alaska of any property or function pursuant to the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, or pursuant to this Act or any other law, and until June 30, 1964, the head of the Federal agency having administrative jurisdiction of such property prior to its transfer or conveyance may contract with the State of Alaska for the performance by such agency, on a reimbursable basis, of some or all of the functions authorized to be performed by it in Alaska immediately preceding such conveyance or transfer.

TRANSFER OF PROPERTY

SEC. 45. (a) If the President determines that any function performed by the Federal Government in Alaska has been terminated or curtailed by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion, transfer and convey to the State of Alaska, without reimbursement, and property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function.

(b) Structures and improvements of block 32 of the city of Juneau granted to the State of Alaska by section 6(c) of the Act providing for the admission of Alaska into the Union (72 Stat. 339, 340), shall include all furnishings and equipment in the structure known as the Governor's mansion, or used in the operation or maintenance thereof.

CLAIMS COMMISSION

SEC. 46. (a) In the event that any disputes arise between the United States and the State of Alaska prior to January 1, 1965, concerning the transfer, conveyance, or other disposal of property to the State of Alaska pursuant to section 6(e) of the Act of July 7, 1958 (72 Stat. 339, 340), providing for the admission of the State of Alaska into the Union, or pursuant to this Act, the President is authorized (1) to appoint by and with the advice and consent of the Senate a temporary commission of three persons, to consider, ascertain, adjust, determine, and settle such disputes, and (2) to make such rules and regulations as may be necessary to establish such temporary commission or as may be necessary to terminate such temporary commission at the conclusion of its duties. In carrying out its duties under this section, such commission may hold such hearings, take such testimony, sit and act at such times and places, and incur such expenditures as the commission deems necessary. No commission shall be appointed under

authority of this subsection after June 30, 1965.

(b) The commission may, without regard to the civil service laws and the Classification Act of 1949, employ and fix the compensation of such employees as it deems necessary to carry out its duties under this section. The commission is authorized to use the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the United States Government which it deems necessary to carry out its duties; and each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the commission upon request made by the commission. The commission shall reimburse each such department, agency, or instrumentality for the services of any personnel utilized. The commission may establish such procedures, rules, and regulations as may be necessary to carry out its duties under this section.

(c) No member of such commission shall be an officer or employee of the United States or of the State of Alaska. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission. Each member of the commission shall be paid compensation at the rate of \$50 per day for each day spent in the work of the commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance in accordance with the provisions of the Travel Expense Act of 1949, as amended, when away from his usual place of residence.

(d) There are hereby authorized to be appropriated such sums as may be necessary to enable the commission to perform its duties under this section.

EFFECTIVE DATES

SEC. 47. (a) The amendments made by paragraph (2) of subsection (a) of section 18, by subsection (a) of section 28, by paragraph (1) of subsection (c) of section 31, by subsections (a) and (b) of section 32, and, except as provided in subsection (c) of this section, by subsection (b) of section 24, shall be applicable in the case of promulgations of Federal shares, allotment percentages, allotment ratios, and Federal percentages, as the case may be, made after satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, and for this purpose such promulgations shall, before such data for the full period required by the applicable statutory provision as so amended are available from the Department of Commerce, be based on satisfactory data available from such Department for such one full year or, when such data for a two-year period are available, for such two years.

(b) The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958, for fiscal years beginning July 1, 1959, and, in the case of allotments under section 302(a) of such Act, in the case of allotments based on allotment ratios, promulgated under such section 302(a), to which the amendment made by paragraph (2) of subsection (a) of section 18 of this Act is applicable.

(c) (1) The allotment percentage determined for Alaska under section 11(h) of the Vocational Rehabilitation Act, as amended by this Act, for the first, second, third, and fourth years for which the amendments made by this Act are applicable to such section shall be increased by 76 per centum, 64 per centum, 52 per centum, and 28 per centum, respectively, of the difference between such allotment percentage for the year involved and 75 per centum.

(2) The Federal share for Alaska determined under section 11(1) of the Vocational Rehabilitation Act, as amended by this Act, for the first year for which the amendments made by this Act are applicable to such section shall be increased by 70 per centum of the difference between such Federal share for such year and 60 per centum.

(3) If such first year for which such amendments made by this Act are applicable is any fiscal year ending prior to July 1, 1962, the adjusted Federal share for Alaska for such year for purposes of section 2(b) of the Vocational Rehabilitation Act shall, notwithstanding the provisions of paragraph (3) (A) of such section 2(b), be the Federal share determined pursuant to paragraph (2) of this subsection.

(d) The amendments made by paragraphs (2) and (3) of subsection (b), by subsection (c), and by paragraph (4) of subsection (d) of section 18; by subsection (a) of section 24; by subsection (b) of section 28; by subsection (a), by subparagraphs (2), (3), and (4) of subsection (b), and by paragraph (2) of subsection (c) of section 31; by paragraph (2) of subsection (c) and by subsection (d) of section 32; and, except as provided in subsection (b) of this section by paragraph (1) of subsection (a) of section 18, shall be effective on January 3, 1959.

(e) The amendment made by paragraph (1) of subsection (c) of section 32 shall apply in the case of deaths occurring on or after January 3, 1959.

(f) The amendments made by paragraph (1) of subsection (b) and paragraphs (1), (2), and (3) of subsection (d) of section 18 shall be applicable for fiscal years beginning July 1, 1959.

(g) The amendments in sections 40 and 42 shall take effect when enacted: *Provided, however,* That with respect to injuries or deaths occurring on or after January 3, 1959, and prior to the effective date of these amendments, claims filed by employees engaged in the State of Alaska in any of the employments covered by the Defense Base Act (and their dependents) may be adjudicated under the Workmen's Compensation Act of Alaska instead of the Defense Base Act.

DEFINITION OF "CONTINENTAL UNITED STATES"

SEC. 48. Whenever the phrase "continental United States" is used in any law of the United States enacted after the date of enactment of this Act, it shall mean the 49 States on the North American Continent and the District of Columbia, unless otherwise expressly provided.

OTHER SUBJECTS

SEC. 49. The amendment by this Act of certain statutes by deleting therefrom specific references to Alaska or such phrases as "Territory of Alaska" shall not be construed to affect the applicability or inapplicability in or to Alaska of other statutes not so amended.

SEPARABILITY

SEC. 50. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Mr. JACKSON. Mr. President, the pending bill, S. 1541, was introduced at the request of the President of the United States. As submitted, the bill represents the considered thinking of all departments of the administration and it was evolved in close cooperation with all members of the Alaska delegation. S. 1541 was introduced by the able and distinguished chairman of the Senate Interior and Insular Affairs Committee, the senior Senator from Montana, and

cosponsored by Senators ANDERSON, GOLDWATER, KUCHEL, O'MAHONEY, and myself.

The purpose of this bill is twofold: First, it seeks to make many technical changes in the law which have as their only purpose the recognition that Alaska is now a State and not a Territory. Secondly, certain substantive changes are also included. In the main, these changes merely give to the State of Alaska that equality which is now enjoyed by the several States. Certain transitional grants are made and allocated over a period of 5 years to assist the State of Alaska in establishing its role as a full-fledged partner of the Union. The yardstick that has been used to determine the amount of money to be given is that which Alaska would have received had it remained a Territory rather than becoming a State.

H.R. 7120, a companion bill to the one which we are considering was passed by the House of Representatives on June 1, 1959. That bill differs but slightly from S. 1541, the bill which we are considering. For example, at the request of the senior judge of the Ninth Circuit Court of Appeals we have amended section 23 to provide for a field survey of the necessity for the Ninth Circuit Court of Appeals sitting in Alaska rather than the mandatory language which had previously been a part of the legislation.

There is ample precedent for this bill in that following the admissions of Oklahoma, Arizona, and New Mexico legislation was enacted by Congress enabling the transition to be made more easily, although it must be realized that this bill is much more complex, reflecting the many more federally sponsored programs.

S. 1541, reported unanimously by the Interior and Insular Affairs Committee, is recommended for prompt passage.

Mr. President, there are two technical amendments at the desk; and I ask for their immediate consideration.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. JACKSON. Mr. President, I send two technical amendments to the desk and ask that they be stated.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On page 4; line 20, after the word "inserting" it is proposed to insert the words "in lieu."

On page 13, line 16, in lieu of the word "except" it is proposed to insert the word "except."

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

Mr. JACKSON. Mr. President, the distinguished junior Senator from Alaska [Mr. GRUENING] has a technical amendment to offer.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 28, line 13, it is proposed to strike the period after the word "function", insert a comma, and the following: "the assumption of which function is pursuant to this act or the act of July 7, 1958, 72 Stat. 339."

Mr. GRUENING. I may state the purpose of the amendment. In the other body there seemed to be some fear that the transfer of property was too sweeping, and that it might include property which was not a part of the functions which would be assumed by the new State. Therefore, the House added an amendment, which is exactly the same as the one I proposed, with the exception of one word. The House amendment reads:

The transfer of which function is authorized in this act or the act of July 7, 1958.

My amendment reads:

The assumption of which function is pursuant to this act or the act of July 7, 1958, 72 Stat. 339.

We feel that it is accurate to use the word "assumption" instead of "transfer," because actually the Federal Government does not transfer functions to a State; the State assumes those functions when the Federal Government ceases to assume them.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alaska [Mr. GRUENING].

The amendment was agreed to.

Mr. GRUENING. Mr. President, I ask unanimous consent that a statement explaining the amendment be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GRUENING

This amendment is submitted for the purpose of clarifying certain questions which arose in the other body upon passage by it on June 1 of the companion bill to S. 1541.

As passed by the House, section 45, which provides for the transfer of certain property by the Federal Government to the State government, was amended to modify conditions applicable to transfers of property to specify that property would be transferred incident to transfers of governmental functions from the Federal Government to the State.

Upon review of the discussion in the House it would appear that the real intent of the modifying language adopted would be better expressed by inserting a requirement that functions of the Federal Government, the termination or curtailment of which will occasion the transfer of property, must be assumed by the State government, rather than by specifying that there must be a transfer of functions from the Federal to the State government.

In reality, it is clear that the transition from Territorial government to State administration will not be a process of transferring functions of the Federal Government to the State. In fact, such a transfer is impossible, since under our form of government, functions which are the responsibility of the Federal Government cannot be transferred to the States.

The process of transition will, in fact, be accomplished as a result of the termination or curtailment of numerous Federal functions which were required for Territorial government, but which can now be undertaken by the State government. This act of termination or curtailment of Federal Government functions will be accompanied by action of the State in assuming responsibility for the activities formerly carried on by the Federal Government which are necessary to orderly and efficient government of the State.

The purpose of section 45 is to provide that, as the State develops greater and more extensive responsibility for governmental activities, the Federal Government will be authorized to transfer to the State such property as was formerly required for Federal operations but is no longer needed by the United States for such purposes. In view of the facts that (1) the Federal Government will no longer need the property; (2) the property in question will be required for efficient and orderly functioning of the State government; and (3) the State of Alaska will be the only agency which can make effective use of the property, section 45 would appear to be an eminently sensible and useful provision of the bill.

The important aspect of the amendment I am proposing here is that the section provides for transfer of property, and not for the transfer of governmental functions.

A second part of this amendment on which I would like to comment is that which provides that the property transfers to be made under section 45 will be transfers incident to the assumption of functions by the State pursuant to provisions of this act or pursuant to the Alaska Statehood Act.

As this bill was passed by the House; and as it was reported by the Senate Interior and Insular Affairs Committee, there are two conditions for the transfer of Federal property to the State, namely, that (1) the Federal Government functions concerned must have been terminated or curtailed; and (2) the State must have assumed responsibility for those functions. This amendment would further limit the scope of Presidential authority to transfer Federal property to provide that property transfers would have to be made with reference to provisions of the two statutes under which the State is required to assume Government activities. This provision is recommended in order to eliminate possible questions which may arise as to the nature of the property which the President is authorized to transfer to the State.

Mr. BARTLETT. Mr. President, as has been stated by the able and distinguished junior Senator from Washington, the chairman of the subcommittee, S. 1541 is before the Senate as a result of an executive communication of last July, shortly after the President signed the Alaska statehood bill. The President designated the Bureau of the Budget to make a study among all the Federal departments. That study resulted in the drawing up of S. 1541.

I wish to express my thanks to Dr. Harold Seidman and Mr. Howard Schnoor, of the Bureau of the Budget, and to Miss Ruth Van Cleve, Assistant Solicitor of the Department of the Interior, for their highly effective work in months of study and in the preparation of the proposed legislation.

Likewise, I should like to thank the distinguished junior Senator from Washington [Mr. JACKSON], and the chairman of the Committee on Interior and Insular Affairs, the Senator from Montana [Mr. MURRAY], and all the other members of that committee, as well as Chairman ASPINALL and Representatives O'BRIEN and SAYLOR, of the corresponding House committee, for their consideration and reporting of the proposed legislation.

Mr. JACKSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 7120.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 7120) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JACKSON. Mr. President, H.R. 7120 is a companion bill to S. 1541, passed by the House on June 1. I move that all after the enacting clause in H.R. 7120 be stricken, and that there be inserted in lieu thereof the text of the Senate bill, S. 1541, as amended and perfected.

The motion was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (H.R. 7120) was passed.

The PRESIDING OFFICER. Without objection, S. 1541 is indefinitely postponed.

Mr. GRUENING. Mr. President, I move that the Senate reconsider the vote by which it passed H.R. 7120.

Mr. JACKSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AUTHORIZATION OF APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of H.R. 7007, Calendar No. 321.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 7007), to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Aeronautical and Space Sciences with amendments on page 1, line 5, after the word "of," to strike out "\$480,550,000" and insert "\$485,300,000"; on page 2, line 1, after the word "equipment", to strike out "\$53,050,000" and insert "\$57,800,000"; on page 3, line 3, after the word "facilities", to strike out "\$15,250,000" and insert "\$20,000,000"; in line 4, after the word "Administrator", to insert "or his designee"; in line 5, after the word "the", to strike out

"House"; in line 6, after the word "Astronautics", to insert "of the House of Representatives"; in the same line, after the word "the", to strike out "Senate"; in line 7, after the word "Sciences", to insert "of the Senate"; in line 13, after the word "contracts", to insert a colon and "Provided, That none of the funds appropriated for 'Research and development' pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds \$250,000, unless the Administrator or his designee notifies the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility."; and on page 5, line 13, after the word "Administration", to strike out "for any period prior to July 30, 1965".

SOVIET DIPLOMACY: A CHALLENGE TO FREEDOM

Mr. MARTIN. Mr. President, I am impressed with the address delivered by Hon. Francis O. Wilcox, Assistant Secretary of State for International Organization Affairs, before the American Academy of Political and Social Science in Philadelphia. His address relates to the question of the future of Soviet-American relations. Because of the vast importance of this subject and the great understanding he has shown in his discussion, I will place it in the RECORD so that others may have the privilege of reading it.

Iowa is proud of the record which Mr. Wilcox has made. He was an outstanding student and athlete at the University of Iowa. He served capably on the staff of the Senate Committee on Foreign Relations, and he is now one of our great national leaders.

I ask unanimous consent that the address delivered by Mr. Wilcox be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SOVIET DIPLOMACY: A CHALLENGE TO FREEDOM

(Address by the Hon. Francis O. Wilcox, Assistant Secretary of State for International Organization Affairs, before the American Academy of Political and Social Science at the Warwick Hotel, Philadelphia, Pa., Friday, April 10, 1959)

I am pleased to have this opportunity to participate in your discussions this evening. For more than half a century the members of the American Academy of Political and Social Science have made a significant contribution to better public understanding of our political and social problems. There is no more important question in world politics today than the subject of this meeting, the future of Soviet-American relations.

I believe that the character of the relations between the U.S.S.R. and the United States and our allies will determine the nature of man's life on this planet for generations to come. It may indeed determine whether that life itself will continue or be abruptly snuffed out. In resolving this question the role of diplomacy is highly important.

Therefore, I would like to explore with you certain aspects of Soviet diplomacy

which have a significant bearing on Soviet relationships with the free world.

THE CENTRAL CHALLENGE

Reduced to its essentials, the key question confronting us is this: Can a democratic, free enterprise, open society successfully compete in diplomacy with a totalitarian, centrally controlled society which is able to marshal its total resources in support of its foreign policy objectives?

In a little more than 40 years, the U.S.S.R. has changed from a comparatively backward, agricultural country to the second-ranking industrial nation in the world. Its gross national product is now increasing between 6 and 7 percent annually. Mr. Khrushchev confidently looks forward to the day when the economy of the Soviet Union will surpass that of the United States. Soviet technical capacity is forcefully demonstrated by the fact the Soviet Union launched the first satellite into outer space. Soviet development of intercontinental ballistic missiles underscores its present military potential.

Every facet of the U.S.S.R.'s regimented society—economic, scientific, social, cultural, and psychological—as well as political and military—is at the constant and immediate disposal of Soviet diplomacy.

In contrast, in the conduct of foreign policy, our Government is accountable to the Congress and the people of the United States whom its Members represent. It must also take into account varied sectional and group interests. Mr. Khrushchev, however, is accountable mainly to himself, and perhaps a few of his Kremlin colleagues.

Mr. Khrushchev's ability to take independent decisions enables him to move swiftly in using trade with other nations to advance the U.S.S.R.'s foreign policy objectives. The Soviets offer guns and grains to carefully selected countries in order to reap maximum political advantages. They extend long-term, low-interest loans. They buy up surplus commodities—which they may not need—if it is in their national interest to do so. Whether or not these transactions are essential to their economy is immaterial to the Soviets. "We value trade least for economic reasons and most for political purpose," Mr. Khrushchev has said.

On this basis it may seem that the struggle is an unequal one. A free society, which must constantly be responsive to the pressures of public opinion, cannot move with the speed and monolithic force of a totalitarian state.

Let me emphasize, however, that free societies have invariably proved more resilient, creative and enduring than those under the deadening hand of dictatorship.

The United States has simultaneously achieved the greatest industrial capacity and the highest standard of living known to man. We have built a defense establishment which protects us and the free world against the threat of surprise attack. In cooperation with other free nations we have developed a system of collective security arrangements which serve as a formidable deterrent to Communist aggression anywhere. Our Marshall plan prevented a Communist takeover of an economically exhausted and prostrate Western Europe after World War II, and our foreign aid programs have enabled free nations to develop on an increasing scale their economic and social well-being.

These achievements can scarcely be called the dying gasps of a decadent capitalism as the Soviets would have it. On the contrary, they offer to the free world its greatest hope for a just peace and a cooperative way of life for free men in the future.

Of course, the diplomatic arrangements of the free world may at times appear cumbersome. This is inherent in the nature of the alliance. Nevertheless, free world diplomacy has demonstrated tremendous strength. The

position of the free world is based on real and mutual interests. Our allies are partners and not puppets. Each country understands the stakes. Each appreciates the basis for action. Each wants to cooperate in a positive way in the common interest. The recent 10th anniversary meetings of the NATO Council clearly demonstrate this.

The handicaps of freedom in this struggle are therefore apparent rather than real. Its strengths are great. Not the least of these is the faith of the free world's people in the virtue and durability of freedom itself, a faith based on experience. In my judgment, this faith—this belief in the dignity and worth of the human being—is an element of strength which gives our military power vitality and direction. This is an unbeatable combination which the Soviet Union does not have.

CHANGES IN SOVIET DIPLOMACY

In 1946 Josef Stalin asserted that the wartime partnership between the U.S.S.R. and its western allies had been a mere expedient. This set the pattern of postwar Soviet diplomacy. He served notice that war was inevitable until international communism had supplanted capitalism. Stalin even went so far as to blueprint the economic planning which would give to the Soviet Union a mighty arsenal to wage the "inevitable" war.

Stalin's successors, on the other hand, have consistently preached the virtue of peaceful coexistence. Nevertheless, the long-range goal of Soviet foreign policy has remained constant—world domination. Soviet foreign policy has been made up largely of a series of probes seeking out free world vulnerabilities or attempting to create them. Its record is studded with such probes: Iran, Greece, the Berlin blockade, and through its far eastern partner, the Red Chinese, aggressive actions against Korea, Vietnam, Taiwan Strait, and Tibet, to mention only a few. The latest and most immediate of these is the current crisis in Germany.

THE GERMAN CRISIS

Let us examine just what the situation in Berlin involved.

First of all, it is a deliberately staged and carefully timed Soviet maneuver designed in part to divide the free world. The Soviet rulers are well aware that communism flourishes in conditions of tension and unrest. They have never hesitated to attempt to create such conditions when they considered this to be in their interest.

By artificially creating a crisis over Berlin, they seek to divert attention from the real issues of German unification and European security. They seek to draw us into negotiations on isolated aspects of these problems whenever they think they have an advantage. Berlin is but one aspect, and certainly not the basic one, of the German problem as a whole. Many suggestions have been advanced for a solution of the Berlin problem, including some involving the United Nations. However, for the reasons I have mentioned, the United States is not interested in discussing formulas for Berlin as an isolated question.

Second—and most important—the Soviet Union is hoping to build up the international status of the East German regime and thereby bring about the permanent division of Germany. This is the only way its puppet regime, the so-called German Democratic Republic, can survive. In the longer run, the future of the satellite empire of Eastern Europe likewise hangs in the balance.

Finally, the Soviet Union hopes to eliminate the monument to freedom which West Berlin constitutes deep inside the Communist bloc. However, as long as West Berlin and the Federal Republic of Germany are allied with the West and remain strong in their determination to maintain their freedom, they will stand as a symbol of the right of the German people freely to determine

HAD OPPORTUNITY

Even though Congressman MERROW did not remarks about Governor Rockefeller there were plenty of people talking to him before and after the luncheon of the possibility of a Rockefeller campaign in the State.

MERROW had the same opportunity to discuss Rockefeller's chances as the Governor had to talk about NIXON but MERROW preferred to keep the luncheon address away from presidential possibilities.

DWINELLS APPEAR

Former Gov. Lane Dwinell and his wife received a good ovation when introduced.

WIGGIN REPRESENTED SENATOR

Chet Wiggin, administrative aid to Senator BRIDGES, represented the senior Senator at the affair although he did not address the group. The capable aid was being greeted equally as much as any of the officeholders, for most politicians realize the important contribution Wiggin makes to the Bridges office.

Plaistow's Women's Republican Club walked away with a prize for increasing its membership.

The speed of air travel was demonstrated by the appearance of the national chairman. Saturday afternoon he was in Hawaii.

NORRIS NEEDLES

NORRIS COTTON had plenty of courage when he faced the women. He referred to Grafton County as the greatest.

There was quite a chuckle when NORRIS referred to Senator MORTON as having a grandfather on each side of the Civil War. He added that's a good idea, especially if you live in Kentucky.

Although it was a women's luncheon, there were plenty of male politicians in attendance. As one summed it up, the gathering consisted of the female brains and the male brass.

CONSTITUTIONAL AMENDMENT TO REQUIRE A BALANCED BUDGET

Mr. BRIDGES. Mr. President, in my 23 years in the U.S. Senate, I have always tried to strike the keynote of economy. There are various ways of striking that note, and one of the devices I have used has been to introduce a resolution for a constitutional amendment requiring that the President submit, and the Congress enact, a balanced budget, except in times of national emergency.

It may be said that the Congress has that present power, and, indeed, that is true. Nevertheless, I feel that writing the requirement into the Federal Constitution would have a salutary effect.

The deterioration of our currency should be a matter of concern to everyone. One of the best ways to prevent further deterioration is to provide for a balanced budget. The increasingly high interest rate for short-term borrowing reflects a lack of confidence in this country's currency. One of the best ways to restore that confidence would be to provide, by constitutional amendment, the requirement of a balanced budget so that the people of this country could be sure that their dollar would not be further depreciated by deficit spending.

Mr. President, I ask unanimous consent that the editorial published in the Washington Daily News of May 30, 1959, remarking on my proposal, be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BALANCE BY CONSTITUTION

Senator STYLES BRIDGES, of New Hampshire, wants to write into the Constitution a virtual ban on Government deficit spending.

He has proposed a constitutional amendment which would require the President each year to submit a balanced budget and Congress to adopt a balanced budget.

The Senator doesn't think this would guarantee a balanced budget—since even the best estimates frequently go amiss. But, as he says, "It would go a long way in that direction."

We are under no illusions that Congress will submit this amendment to the State legislatures, where it would have to be ratified. Although we think the necessary three-fourths of the States readily would approve it.

There are some notable individual exceptions, but the majorities in Congress obviously are not much concerned about deficit spending. If they were, they would put a stop to it. Moreover, Congress long has had a law of its own, requiring itself to balance the budget. The law merely is ignored.

Just the same, it is a good idea. And there seems to be only one other way to force Congress to do what it ought to do as a matter of simple duty. When the people get sufficiently tired of inflation, and sufficiently understand that the Government's red-ink spending is the main cause of inflation, the people will turn on the heat—and Congress will act.

In that event, if the people were riled enough, Congress might even pass the Bridges amendment.

SUGGESTION THAT THE MONKEY "ABLE" BE RETURNED TO KANSAS

Mr. CARLSON. Mr. President, in connection with the discussion on the bill relating to the authorization for the National Aeronautics and Space Administration, I think it is fitting to read into the RECORD a telegram which I have just sent to Dr. T. Keith Glennan, director of the National Aeronautics and Space Administration. The telegram reads as follows:

DR. T. KEITH GLENNAN,
Director, National Aeronautics and Space Administration, Washington, D.C.

Last week the citizens of our Nation were thrilled at the achievements of your organization in sending two monkeys into space and directing their safe return to earth. The people of Kansas are singularly honored in this historic event by having produced Able, one of the monkeys. I feel that it is only fitting that Able should be returned to her native State for preservation. We have at Kansas University one of the outstanding museums in charge of a nationally known curator who would properly mount and preserve this monkey for future generations. We in Kansas feel this should be a fitting tribute to Able, who has pioneered space flight and would be an historic reminder to all who came to see her. We will be glad to cooperate with you in any suggestions you may have.

FRANK CARLSON,
U.S. Senator.

Mr. President, we in Kansas are truly proud to have participated in this historic event by having furnished a monkey, which was born at Independence, Kans., a few months ago. I trust that the National Aeronautics and Space Administration will give serious consideration to the request I have made today on behalf of the people of Kansas.

ORDER FOR RECOGNITION OF SENATOR HUMPHREY TOMORROW

Mr. HUMPHREY. Mr. President, I ask unanimous consent that tomorrow, at the conclusion of the morning business, and following the yeas-and-nays vote on the so-called space bill, I may be recognized for a period of 30 minutes for the purpose of addressing the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARTLETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF CERTAIN LAWS AFFECTING THE STATE OF ALASKA

Mr. BARTLETT. Mr. President, the bill passed earlier today by the Senate, S. 1541, and a corresponding bill passed earlier in the week by the other body, will smooth and assist the transition to statehood of the 49th State, Alaska.

Shortly after signing the Alaska Statehood bill, President Eisenhower directed the Bureau of the Budget to inquire among the several Departments of the Federal Government concerning the legislation which would be required in the light of Alaska's having become a State. Subsequently, the draft of the proposed legislation which became S. 1541 was sent to the Senate, and also to the House of Representatives, by Executive communications.

There is precedent for legislation of this type. It is true that similar but much more restricted legislation was passed after some of the earlier Territories entered the Union as States. But since the admission of the last previous States, New Mexico and Arizona, in 1912, the whole field of Federal-State relationships has been enlarged and changed. For that reason, and for another very important reason, the bill considered and passed today by the Senate was much more complex than any previous legislation of this nature.

The other important reason—the main reason, in fact—was that in the case of Alaska, the Federal Government never permitted the Territory to assume and perform functions which had been undertaken normally and naturally by other Territories. For example, Alaska was never permitted to care for its own mentally ill until about 2 years ago. Alaska was never permitted, until it became a State, to erect its own court system. Until the enactment of the Federal Aid Highway Act of 1956, Alaska never shared in the benefits of such legislation, which has been so important to the other States.

As a consequence, in this vast area of about 586,000 square miles, one-fifth as large as the earlier 48 States put together, Alaska has today only about 4,000 miles of roads. Under the 1956 act, Alaska joined the Federal highway system,

but under special circumstances and special conditions. The bill passed today makes Alaska a full partner in the Federal highway system, except that she does not share in the benefits of the interstate highway system. Alaska will continue, as it has in the past, to pay taxes for that program, but will reap from it no benefits whatsoever.

In this connection, I was delighted to learn that the distinguished senior Senator from Michigan [Mr. McNAMARA] plans to visit Alaska this fall with his Subcommittee on Public Roads and there inquire into Alaska's highway needs.

The omnibus transition bill passed earlier today is, in the main, a statement of technical corrections to existing law, merely deleting the word "Territory" from ever so many laws, and including Alaska as one of the States. Certain transitional grants are authorized under the terms of the bill totaling \$28,500,000 over a period of 5 years. I point out and emphasize that this amounts to only \$3,500,000 more than the Federal Government would have appropriated had Alaska remained a Territory. Indeed, for the coming fiscal year—the fiscal year 1960—the additional charge to the Federal Government on account of the transitional bill will be only slightly more than \$200,000. These appropriations, which I hope will be made in the full amounts to be recommended by the Bureau of the Budget from year to year, will go into the general fund of the treasury of the State of Alaska, and thus will give to Alaska a helping hand in its early and most difficult years of statehood.

Furthermore, the two international airports, the one at Anchorage and the one at Fairbanks, are to be conveyed to the new State. It is hoped that the transitional appropriations will permit the State government—and promptly—to extend the runways at both these airports, so that they will be suitable at the earliest possible time for the operation of jet airplanes. As is realized, many international carriers bound from Asia to Europe, or the other way around, go through Alaska and use particularly the airport at Anchorage. That airport and the one at Fairbanks must be put in physical shape to accommodate jet plane operations without delay.

I think it can properly be said that the people of Alaska approve the omnibus bill. However, they do not regard it—and neither do I—as any great gift from the Federal Government. All things considered, I believe that perhaps the majority of Alaskans would have preferred the continuation of the present system of road building under a revised formula for the next few years; and there was some sentiment that the continued operation by the Federal Aviation Agency of the two airports I have mentioned might have been desirable, so that the Federal agency could have proceeded to put them in shape for the jet plane operations to which I have referred. But Alaskans are willing to accept the bill and to do their best—and their best will be successful, I know—to proceed under the terms and conditions of the legislation.

Mr. President, in conclusion, again I wish to express the very strong hope that the appropriation, which I under-

stand has already been requested by the Bureau of the Budget, or will be requested within the next day or two, for these transitional grants for the fiscal year 1960 will be made promptly, because July 1, the start of the new fiscal year, is almost here; and those funds will be required so the State may enter into these operations in an orderly and proper manner.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 3, 1959, he presented to the President of the United States the following enrolled bills:

S. 758. An act for the relief of Viktors Neimanis;

S. 1197. An act to amend the Atomic Energy Act of 1954, as amended;

S. 1217. An act to add certain public domain lands in Nevada to the Summit Lake Indian Reservation;

S. 1228. An act to amend Public Law 85-590 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; and

S. 1242. An act to authorize the use of the revolving loan fund for Indians to assist Klamath Indians during the period for terminating Federal supervision.

ADJOURNMENT

Mr. BARTLETT. Mr. President, I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock p.m.) the Senate adjourned until tomorrow, Thursday, June 4, 1959, at 12 o'clock meridian.

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and preservation of certain public works on rivers and harbors for navigation and flood control. p. D467

6. ALASKA. Concurred in the Senate amendments, with an amendment, to H. R. 7120, to amend laws of the U. S. in the light of the admission of Alaska into the Union. pp. 9552-56
7. PUBLIC DEBT. Rep. Patman inserted his statement before the House Ways and Means Committee discussing the President's proposals to raise the public debt limit and increase interest rates on Government bonds. pp. 9566-8
8. LEGISLATIVE PROGRAM. Rep. McCormack announced that the mutual security authorization bill will be considered Mon., June 15. p. 9541

SENATE

9. MILK. Sen. Wiley stated that "under Government milk marketing orders, farmers living in the areas which adjoin ... Washington, D. C., can receive as much as \$6 a hundred for the milk they produce, whereas Wis. farmers who have been shipping milk under orders to Chicago, receive an average of approximately \$3.40 a hundred," and urged "immediate consideration" of this matter by USDA. p. 9453
10. FARM LOANS. Sen. Allott stated that on June 9, the day he introduced S. 2144, to simplify and consolidate the authority of the Secretary of Agriculture with respect to loans to farmers and ranchers, he had inserted an explanation of an earlier draft of the bill, and today he inserted the correct explanation of the bill. pp. 9468-71
11. SURPLUS FOOD. Sen. Hart urged favorable action by the Agriculture and Forestry Committee on an increased food distribution bill, inserted (1) a resolution by the Detroit city council urging an expansion of the food distribution program, a transfer of this activity to HEW, and a food stamp plan, (2) a Detroit Free Press article, "Detroit Offers to Test Surplus Food Stamps -- Grocers Here Back Proposal ...," and (3) a statement by the superintendent of the Department of Public Welfare supporting these proposals and including a summary of USDA surplus commodities program in Detroit. pp. 9480-2
12. CONTRACTS. Sen. Williams criticized certain types of Government contracts, cited several cases where profits were found to be excessive, and urged adoption of his bill, S. 1383, which requires competitive bidding for national defense and civilian goods purchases with certain exemptions. p. 9445
13. FAIR TRADE. Sen. Proxmire inserted and commended a Cincinnati Enquirer editorial, "The Case for Fair Trade," pointing out some advantages of fair trade laws. pp. 9444-5
14. INTEREST RATES; FARM POLICY. Sen. McCarthy compared Treasury Department policy with that of USDA in that Secretary Benson "after he was established in ... office he began talking about 80% of parity; and he said the farm problem would be solved ...; he has got support prices down to 60% of parity, and conditions continue to get worse;" and "in the field of finance ... the interest rates were increased. Things got worse ...; to solve the problem, the administration is proposing further increases in interest rates." pp. 9443-4

15. EMPLOYMENT. Sen. Johnson termed the drop in unemployment "gratifying" but warned "there are still pockets of unemployment," and urged the Labor and Public Welfare Committee's action on a bill to establish a Civilian Conservation Corps (S. 812). Sen. Dirksen said the employment situation is "encouraging and heartening." p. 9441
Sen. Keating discussed and inserted the Federal Reserve Board's release on the extent of the economic recovery, scored "pessimists" and "peddlers of doom" who called for large government outlays to provide for economic recovery, stated that to deal with such problems there must be a "selective approach ... not the general shotgun of deficit spending," and inserted two additional articles on the subject. pp. 9449-52
16. FOREIGN AFFAIRS. Sen. Javits reviewed the actions and discussions of the Atlantic Congress composed of parliamentarians and civilians of NATO countries and explained several resolutions of the group on international economic relations. pp. 9461-4
17. TAXES. Sen. Bridges inserted an editorial, "It's the 'Little People Who Pay the Taxes.'" p. 9455
18. ECONOMIC GROWTH. Sen. Bennett reviewed U. S. economic growth, compared our economic position with Russia's, including comparative working times needed to buy food commodities, warned that those who "clamor for a faster rate of growth -- 5 percent, instead of our productive and historic 120 year average of 3.7 percent -- are often the same people who think a little inflation is desirable," and minimized the active role of Government in economic growth. pp. 9471-80

ITEMS IN APPENDIX

19. FORESTRY. Sen. Bennett inserted an editorial discussing the effects of proposals to establish a wilderness preservation system on land in Utah. pp. A5012-13
20. PUBLIC DEBT. Rep. Alger inserted the statement of the chairman of the Board of Governors of the Federal Reserve System before the House Ways and Means Committee supporting the President's proposals to increase the public debt limit and increase interest rates on Government bonds. pp. A5016-7
21. FARM PROGRAM. Sen. Wiley inserted an article by Earl Butz discussing trends and changes in agriculture, including farm capital requirements, decreases in the number of farms, vertical integration in agriculture, and agriculture as an expanding industry. pp. A5021-23
22. APPROPRIATIONS. Rep. Bow inserted a table showing the total appropriations in several appropriation bills for the Departments (including Agriculture) as passed by the House and as passed by the Senate this session of Congress. pp. A5041-2

BILLS INTRODUCED

23. LANDS. S. 2156, by Sen. Moss (by request), and H. R. 7690, by Rep. King, Utah, to amend the act of September 2, 1958, relating to the exchange of lands between the United States and the Navajo Tribe, to clarify the intent of Congress with respect to certain excepted rights; to Interior and Insular Affairs Committee.

provided an example to others. The Flint automobile pioneer, the late Mr. William S. Ballenger, left a trust fund which has provided buildings and chairs of learning for the junior college.

Many communities would have been content with this achievement, Mr. Speaker. After the immediate needs for higher education facilities were satisfied, they would have considered the job well done. Not so in Flint.

In 1953 a group of inspired and civic-minded men entered the scene actively, intent upon seeing their community blessed with a fine plant for higher education and community development. Robert T. Longway, F. A. Bower, J. E. Burroughs, and the late Michael A. Gorman were leaders in this group. They reached out and drew the support of business, labor, industry, all segments and groups of the community.

A committee of sponsors was formed which developed plans for a \$12 million college and cultural center. This initial cost estimate had to be raised and is now a \$25 million project.

The committee of sponsors arranged for the creation of a trust fund administered by the board of education. Then the committee made the startling announcement that the minimum contribution it would accept was \$25,000. The boldness, the soundness, and realism of this provision captured the public fancy. This unprecedented action, which caused amazement in public philanthropy circles, was aimed to develop not merely donations but sponsorships for an individual, family, or business giving \$25,000 or more.

When the plan was first announced, there was understandable skepticism. But this skepticism was dealt a blow when a Flint citizen, Mr. Harlow H. Curtice, then president of the General Motors Corp., announced a \$3 million contribution by the corporation in November 1954.

Funds donated by sponsors have been used to purchase land, provide buildings for theater, art, and music as well as a swimming pool and planetarium. Buildings for library, science, and academic areas are either erected or in the building stage. Mr. Mott once again proved his generosity as well as his loyalty to his community by providing \$1,200,000 for a building and furnishings for the Flint branch of the University of Michigan. All told, there have been approximately 200 public-spirited citizens who have contributed more than \$18 million for this community project.

Proud indeed were Flint citizens on June 14, 1958, when 76 graduates of the Flint College of the University of Michigan received their bachelor of arts degrees. Nearly 80 percent of these graduates received their entire education in Flint, from kindergarten through 2 years at Flint Junior College and 2 years at the senior college. Some 3,900 students are now enrolled in the two institutions.

Mr. Speaker, I know the thought that is running through the minds of those who hear this report. "Ah, how fine it is that Flint, Mich., has the generosity of Mr. Mott and the General Motors Corp.

upon which to depend. Just put a division of General Motors in my city and we'll solve our problems, too."

I suggest, Mr. Speaker, that this is a "whipped-before-you-start" form of rationalization. The same kind of resources, in greater or lesser degree, are present in every truly American community in this land. The citizens of your city are just as civic-minded, just as much interested in helping build and improve the community, just as willing to give their time, their effort, and, yes, their money in the cause of education. The city of Flint is typically American. The support which the educational system receives from the people of Flint is no accident, Mr. Speaker. In fact, it is the direct result of a second essential aspect of Flint's method of meeting the educational challenge. This is a bold concept of total education which Flint calls community schools.

This is no new concept. In fact, it dates back to a time when the public school was the center of community life in pioneer America. Very simply, this concept calls for public schools to be open to persons of all ages, day and night throughout the year for a wide variety of purposes. This concept is based upon the belief that the school must mean more to people than the place where they were imprisoned during childhood on warm, spring afternoons. It holds that the schools must serve an active function in the lives of all its people. In addition to its basic academic and intellectual responsibilities, the school system must maintain a concern for the health, recreational, and civic needs of all citizens.

From a practical viewpoint, Flint educators believe that public school facilities, built and maintained by taxpayers, belong to and should be available to the people.

Flint school doors are open evenings, Saturdays, and all summer long. The result is that Flint's 35 neighborhood schools serve as centers for adult education, recreation, health, physical fitness, social events, with no duplication of costly facilities for youth and community centers.

The schools have also acted as a clearinghouse for ideas and means of helping and enriching the lives of the children. The enrichment plan includes after-school, Saturday, and summer classes in things children want and do not have time for in regular class hours. These things range from athletics and arts and crafts to science and foreign language. The school system has more than 13,000 members in its teens clubs, and the board of education, with the help of the Mott Foundation, maintains a large number of community education and youth-serving programs.

The schools provide facilities for many adult neighborhood groups, often very informally organized, and satisfying a variety of interests from roller skating and square dancing to arts and crafts.

Perhaps most impressive of all is the variety and scope of the more than 900 adult education courses, with more than 40,000 enrollments each year. Subjects range from cake decorating to Greek

philosophy. Courses are available carrying college, high school and even prehigh school credit. Approximately 150 adults earn high school diplomas each year.

What is the effect of this community school concept? Mr. Speaker, interest and activity cannot be separated. Our activity directs our interest, and our interest makes for understanding and support. As people who have campaigned for public office, we know that the man who works for us and with us will vote for us. It is the same with schools.

The people of Flint—adult taxpayers—using and understanding their schools, recognizing the needs, are quick to vote money to operate the schools properly. In 1957, during an industrial recession, Flint voters approved by a 4 to 1 margin a tax levy to build more community schools including a \$4 million high school.

The success of the Flint programs has brought the city nationwide attention. Last year, for example, some 4,000 persons, including high U.S. Government officials, university presidents, and educators from several foreign countries, visited Flint to inspect this bold concept of total education. In the March 1959 issue of the Reader's Digest, in an article entitled, "Flint's Gone Crazy Over Culture," Karl Detzer describes the uplifting and vitalizing effect of the educational program of the people of this great industrial city. I should like to request that this article be printed in its entirety at the conclusion of my remarks.

I sometimes think, Mr. Speaker, that one of the great problems of this age in which we live is the adjustment of people to urban-industrial life. Western man has had centuries to perfect rural living patterns. I daresay that many who were born on a farm grew up with the benefits of that way of life.

As more and more Americans spend their active life in large industrial cities, the question is whether life can be fruitful and satisfying to the spirit, a rich, fulfilling experience rather than a drab routine of living from one paycheck to the next. I believe Flint, Mich., is working toward a positive answer to that question. I would suggest, Mr. Speaker, that this is an answer which each city and community in America must seek for itself. Because of the diversity of our cities and our people, no pat Federal formula will provide it. It must come from the interests, the energies, the aspirations of each locality.

Mr. Speaker, I would suggest that the Flint, Mich., answer to the educational challenge carries important meaning for America's schools. Every community in the land can well note two lessons from Flint's experience.

Flint has demonstrated, first, that our school systems have a tremendous reservoir of public support which has barely been tapped. Flint is singularly fortunate in having Mr. Charles Stewart Mott as one of its citizens. But all of Mr. Mott's donations could be equaled at a cost of about 2 cents per day per taxpayer. Equally valuable has been the enlightened and spirited example which Mr. Mott set for his fellow citizens of

Flint. I suggest, Mr. Speaker, that such capacities for leadership, imagination, and enthusiasm are just waiting to be called upon in most American cities. We should use them.

The second lesson we learn from Flint's example is that any school system, to achieve even the basic goals of teaching children to read and write, must have the enthusiastic support of the people. Money—even Federal money—will not buy that kind of support. Open the school doors to all the people and they will enter by the thousands. They will then support the schools, for the schools will be a part of their daily lives.

This, Mr. Speaker, is the answer of Flint, Mich., to the educational challenge and it suggests, I believe, at least part of the answer for the problems of education in America.

[From Reader's Digest, March 1959]

FLINT'S GONE CRAZY OVER CULTURE

(By Karl Detzer)

Twenty-five years ago, Flint, Mich., was an uneasy, unhappy city with more than its share of industrial grime, substandard housing, and petty crime. Big labor and big management were building up tensions that in 1937 would splash Flint into the headlines as a center of the sitdown strike. Thousands of unskilled workers lived shabbily in overcrowded quarters that nearby communities referred to as "Shantytown." Education, particularly at high school or college levels, seemed unimportant. Flint knew nothing of art, music, or literature; it cared even less.

That old Flint has disappeared. Today a lively new town shows the world a proud new face. Dreary slums are giving way to parks and playgrounds; management and labor try to settle their endless differences peaceably. Union leaders and industrialists sit down together to plan ways of making their city a better place in which to live. They still don't love one another, but both love their exciting home town.

Education is riding high. One word that the visitor in Flint hears often is "culture." It has many local meanings, ranging from the appreciation of the classics and participation in good music to the study of arc welding. Everyone in town seems to be studying something.

The city boasts (the word is understatement) a first-class symphony orchestra and several choral and chamber-music groups. A magnificent new art center brings to town a parade of exhibitions of classical and contemporary painting. A bustling new theater serves as a laboratory for Flint's acting amateurs who share its stage with visiting companies of Broadway's professionals.

The people also turn out by the thousands to jam what they insist is the finest planetarium outside the big metropolitan centers. Excited by the big displays of the heavens on its big dome, men and women all over town are grinding lenses and building backyard telescopes.

On the gently rolling 250 acres of the new campus and cultural center, just a few blocks from downtown, are grouped junior and senior high schools, a junior college with 3,600 local students and a new branch of the University of Michigan with 400 of Flint's young people on its rolls. When completed, the campus will include scientific and historical museums, a civic auditorium, an Olympic-size swimming pool, and a music center.

Most of the money for all this is raised by a committee of sponsors representing a cross section of Flint. Contributions (\$25,000 is the minimum the committee will ac-

cept) are turned over to the board of education, which holds title to the land and buildings, picks the staff, pays most of the salaries and, with the advice of the committee, charts the city's cultural progress. Two hundred individuals, families, business firms, clubs, and labor unions already have given nearly \$19 million.

Largest corporate donor, with \$3 million, is General Motors, which has Buick and Chevrolet plants in Flint. The largest individual gifts have come from an 83-year-old retired industrialist named Charles Stewart Mott, who founded his fortune with a wheel-and-axle company in which General Motors later bought a half interest.

Last fall when Mott met with a subcommittee to discuss future plans for the campus, the need for a central library to serve the four schools came up.

"Such a building would cost a million dollars," a committeeman estimated. "I'm afraid the library must wait."

Mott pondered briefly. "I'll give you a million for it at once," he said, "so you can start it right away."

The campus is the busiest place in town, its lecture halls, exhibits, and classes visited daily by thousands. But as important to the city is another, older educational experiment that started 24 years ago with a \$6,000 donation from Mott. In 41 public schools, Flint operates what is probably the most varied and extensive night school and adult education program of any community of its size in the United States. Last year 42,000 citizens, more than a fifth of the 200,000 population, attended courses, study groups, and discussion panels covering 900 subjects, including lathe operation and literature, economics, and baton twirling.

The movement started when Frank J. Manley, physical education director in the public schools, asked Mott for money to open five school buildings in the poorer parts of town as evening recreation centers for boys. Manley stressed that school property used only 8 hours a day, 5 days a week, 9 months a year was an economically unsound investment of the taxpayers' money. Mott was interested and agreed to pay the cost of leadership for the program. Within a few years he set up a foundation to finance evening classes for adults.

The night-school curriculum now ranges from world history to elementary navigation, from creative thinking to square dancing, physics to gift wrapping. Serious students of science, languages, mathematics, and history may go on to advanced courses. Most Flint people go to school to brush up on techniques connected with their jobs, or to make up school courses they missed when they were young. But if as few as half a dozen citizens want to study a subject not on the curriculum, be it the Japanese language, Russian geography, or how to dip chocolates, the Mott Foundation provides funds to the school board for an instructor and classroom.

In its efforts to supply something for everyone, the board of education offers courses in how to combat alcoholism, and in Braille and lip reading. There is one self-help program entitled "Recovery, Inc.," for highly nervous persons and former mental patients.

Flint likes to stress family participation in its community school program. One Polish-born widow enrolled in a class to improve her English. Her son, who at 18 was working on a Chevrolet assembly line and hoping to become an engineering draftsman, took mechanical drawing; a 16-year-old daughter studied cake baking and decoration. At the schoolhouse door they parted, to meet again after classes and drive home together.

Once a week the committee representing the 200 sponsors assembles to plan for the forward march of culture in Flint. A typical meeting brings together bankers, lawyers, salesmen, merchants, auto-plant executives, an architect or editor, a school-board repre-

sentative—and a retired toolmaker named Merliss Brown.

When Brown arrived in the United States as a young man, his last name was Merliss and he knew the toolmaker's trade. At the General Motors shops in Flint, he and a friend named Brown applied for work together. Shy Merliss in his sketchy English accepted a job sweeping floors. Brown, brash and confident, talked himself into a toolmaker's post. Brown soon realized that he could not handle his job, so he quietly exchanged names with Merliss and went to sweeping floors, while Merliss began toolmaking. It was not until he was ready for retirement that the man who called himself Merliss Brown confessed his deception to the company.

Unmarried, a man of simple habits, he had put his pay checks in the bank. After retirement, he attended some lectures and exhibitions, found them exciting and decided to help. He told the sponsors' committee he had some savings. "I don't need the money. I live quiet. Flint always was good to me. Now, it's my turn."

Civic leaders recently held a banquet to honor both Merliss Brown, who gave \$25,000, and Mott, who has given millions.

The city of Flint has profited by the awakened intellectual curiosity stirred up by the night-school courses and events on the campus. Results of a fast-rising civic pride are visible on every hand. Streets are cleaner; storefronts shine. A glistening new steel-and-glass city hall and modern police, public-health and municipal-court buildings occupy a quadrangle around a smooth, grassy park. Properly staffed playgrounds are scattered all over town.

Last fall the editor of the Bay City, Mich., *Times* went to Flint to see what all the shouting was about. Back home, he splashed his impression under a headline that Flint loved: "Shantytown to Bigtown."

ALASKA OMNIBUS ACT

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7120) to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment as follows:

In section 23(a) of the Senate amendment, strike out the word "authorizing" and insert in lieu thereof the word "directing."

The Clerk read the title of the bill.

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, is that a unanimous agreement by the committee?

Mr. ASPINALL. It was a unanimous agreement and it has been cleared with everybody on both sides of the aisle.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate amendment as follows:

Strike out all after the enacting clause and insert "That this Act may be cited as the 'Alaska Omnibus Act'."

"FEDERAL JURISDICTION

"SEC. 2. (a) Section 4 of the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, is amended by striking out the words 'all such lands or other property, belonging to the United States or which may belong to said natives', and inserting in lieu thereof the

words 'all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives'.

"(b) Section 6(e) of said Act is amended by striking out the word 'legislative' and inserting in lieu thereof the word 'calendar'.

"TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

"SEC. 3. Any Territorial law, as that term is defined in section 8(d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union—

"(a) which provides for the regulation of commerce within Alaska by an agency of the United States; and

"(b) the application of which to the State of Alaska is continued solely by reason of such section 8(d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the Legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

"SUGAR ACT

"SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection '(o)' and to read as follows:

"(o) The term "continental United States" means the 49 States and the District of Columbia."

"SOIL BANK ACT

"SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C., supp. V, sec. 1837), is amended to read as follows: 'This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term "State" includes Hawaii, Puerto Rico, and the Virgin Islands.'

"ARMED FORCES

"SEC. 6. (a) Title 10, United States Code, section 101(2), is amended by striking out the words 'Alaska, Hawaii,' and inserting in lieu thereof the word 'Hawaii'.

"(b) Title 10, United States Code, sections 802(11) and 802(12), are each amended by striking out the words 'that part of Alaska east of longitude 172 degrees west,'.

"(c) Title 10, United States Code, section 2662(c), is amended by striking out the word 'Alaska,'.

"NATIONAL BANK ACT

"SEC. 7. Section 5192 of the Revised Statutes, as amended (12 U.S.C. 144), is further amended by striking out the words 'in Alaska or'.

"FEDERAL RESERVE ACT

"SEC. 8. (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C. 221), is further amended by deleting the period at the end of such section and inserting in lieu thereof the following: 'the term "the continental United States" means the States of the United States and the District of Columbia.'

"(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C. 466), is further amended by striking the words 'in Alaska or'.

"HOME LOAN BANK BOARD

"SEC. 9. (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1422(3)), is further amended by striking out the words 'Territories of Alaska and Hawaii' and inserting in lieu thereof the words 'Territory of Hawaii'.

"(b) Section 7 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1466), is further amended by striking out the words

'continental United States, to the Territories of Alaska and Hawaii' and inserting in lieu thereof the words 'continental United States (including Alaska), to the Territory of Hawaii'.

"NATIONAL HOUSING ACT

"SEC. 10. The National Housing Act is amended by—

"(a) striking out the word 'Alaska,' in sections 9, 201(d), 207(a)(7), 601(d), 713(q), and 801(g) (12 U.S.C., secs. 1706d, 1707(d), 1713(a)(7), 1736(d), 17471(q); supp. V, sec. 1748(g));

"(b) striking out the words 'the Territory of Alaska,' in section 207(c)(2) (12 U.S.C., supp. V, sec. 1713(c)(2)), and inserting the word 'Alaska' in lieu thereof;

"(c) by striking out the words 'the Territory of Alaska or in Guam' in section 214 (12 U.S.C., supp. V, sec. 1715d; 48 U.S.C., supp. V, sec. 484d), and inserting the words 'Alaska, Guam,' in lieu thereof; and

"(d) striking out the word 'Territory' in the two places where it appears in section 806 (12 U.S.C., supp. V, sec. 1748e), and inserting the word 'State' in lieu thereof.

"COAST GUARD

"SEC. 11. Title 14, United States Code, section 634(b), is amended by striking out the words 'and for the territory of' in both places where they appear therein.

"SECURITIES AND EXCHANGE COMMISSION

"SEC. 12. (a) Paragraph (6) of section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b(6)), is further amended by striking out the word 'Alaska,'.

"(b) Paragraph (16) of section 3(a) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c(a) (16)), is further amended by striking out the word 'Alaska,'.

"(c) Paragraph (18) of section 202(a) of the Investment Advisers Act of 1940, as amended (15 U.S.C. 80b-2(a)(18)), is further amended by striking out the word 'Alaska,'.

"(d) Paragraph (37) of section 2(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-2(a) (37)), is further amended by striking out the word 'Alaska,'.

"(e) Paragraph (1) of section 6(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-6(a) (1)), is further amended by striking out the word 'Alaska,'.

"SOIL CONSERVATION

"SEC. 13. (a) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C., supp. V, sec. 590h(b)), is further amended by inserting, immediately following the words 'continental United States,' the words 'except in Alaska'.

"(b) Section 17(a) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590q(a)), is further amended by striking out the words 'the United States, the Territories of Alaska and Hawaii' and inserting in lieu thereof the words 'the States, the Territory of Hawaii', and by striking out the word 'Alaska' the second time it appears therein.

"BALD EAGLES

"SEC. 14. Section 1 of the Act of June 8, 1940 (16 U.S.C. 668), is amended by striking out the words 'except the Territory of Alaska,'.

"WILDLIFE RESTORATION

"SEC. 15. Section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is further amended by striking out the words 'the Alaska Game Commission,' 'said Territory of Alaska,' 'not exceeding \$75,000 for Alaska, and', and 'the Territory of Alaska,'.

"FISH RESTORATION

"SEC. 16. Section 12 of the Act of August 9, 1950, as amended (16 U.S.C., supp. V, sec.

777k), is further amended by striking out the words 'the Alaska Game Commission,' 'said Territory of Alaska,' 'not exceeding \$75,000 for Alaska, and', and 'the Territory of Alaska,'.

"CRIMINAL CODE

"SEC. 17. (a) Title 18, United States Code, section 5024, is amended by striking out the words 'other than Alaska' and inserting in lieu thereof the words 'including Alaska'.

"(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words 'other than Alaska' and inserting in lieu thereof the words 'including Alaska'.

"(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

"(d) Title 18, United States Code, section 1385, is amended by deleting the last sentence thereof.

"EDUCATION

"SEC. 18. (a) (1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out 'Alaska,' each time it appears.

"(2) Paragraph (3)(B) of section 302(a) of such Act (72 Stat. 1580, 1588), relating to definition of continental United States for purposes of allotments for science, mathematics and modern foreign language instruction equipment, is amended by striking out 'does not include Alaska' and inserting in lieu thereof 'includes Alaska'.

"(3) Section 1008 of such Act (72 Stat. 1580, 1605), relating to allotments to territories, is amended by striking out 'Alaska,'.

"(b) (1) Section 4 of the Act of February 23, 1917 (20 U.S.C. 14), relating to allotments for teacher-training, is amended by striking out '\$90,000' and inserting in lieu thereof '\$98,500'. The proviso in the last paragraph of section 5 of such Act (20 U.S.C. 16) and so much of section 12 of such Act (20 U.S.C. 22) as follows the last semicolon shall not be applicable to Alaska prior to the third fiscal year which begins after the enactment of this Act.

"(2) Paragraph (1) of section 2 of the Vocational Education Act of 1946 (20 U.S.C. 15i), relating to definition of States and Territories, is amended by striking out 'the Territories of Alaska and Hawaii' and inserting in lieu thereof 'the Territory of Hawaii'.

"(3) Subsection (e) of section 210 (20 U.S.C., supp. V, sec. 15jj(e)), and subsection (a) of section 307 of such Act (72 Stat. 1580, 1600), relating to definition of State, are each amended by striking out 'Alaska,'.

"(c) Paragraph (13) of section 15 of the Act of September 23, 1950, as amended (72 Stat. 548, 558), relating to definition of State, is amended by striking out 'Alaska,'.

"(d) (1) The material in the parentheses in the first sentence of subsection (d) of section 3 of the Act of September 30, 1950, as amended, relating to determination of local contribution rate, is amended to read: '(other than a local educational agency in Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency)'.

"(2) The fourth sentence of such subsection is amended by inserting '(including Alaska)' after 'continental United States' the first time it appears in such sentence. The fifth sentence of such subsection is amended by inserting '(including Alaska)' after 'continental United States' the second time it appears in such sentence.

"(3) The last sentence of such subsection is amended by striking out 'Alaska,' and by inserting after 'the Virgin Islands,' the fol-

lowing: 'or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency,'.

"(4) Paragraph (8) of section 9 of such Act (20 U.S.C., supp. V, sec. 244(8)), relating to definition of State, is amended by striking out 'Alaska,'.

"IMPORTATION OF MILK AND CREAM

"SEC. 19. Subsection (b) of section 9 of the Act of February 15, 1927 (21 U.S.C. 149(b)), is amended by inserting the words 'including Alaska' immediately following the words 'continental United States'.

"OPIUM POPPY CONTROL

"SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C. 188k) is amended by deleting therefrom the words 'the Territory of Alaska,'.

"HIGHWAYS

"SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 44 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

"(b) Notwithstanding any other provision of this section, any contract entered into by the Federal Government in connection with the activities of the Bureau of Public Roads in Alaska which has not been completed on the date of the transfer provided under subsection (a) hereof may be completed according to the terms thereof.

"(c) (1) The State of Alaska shall be responsible for the maintenance of roads, including bridges, tunnels, and ferries, transferred to it under subsection (a) of this section, as long as any such road is needed for highway purposes.

"(2) Federal-aid funds apportioned to Alaska under title 23, United States Code, for fiscal year 1960 and prior fiscal years, and unobligated on the date of enactment of this Act, may be used for maintenance of highways on the Federal-aid systems in Alaska.

"(d) Effective July 1, 1959, the following provisions of law are repealed:

"(1) Title 23, United States Code, section 103(f);

"(2) Title 23, United States Code, section 116(d);

"(3) Title 23, United States Code, section 119;

"(4) Title 23, United States Code, section 120(h), except that the portion of the first sentence thereof relating to the percentage of funds to be contributed by Alaska shall continue to apply to funds apportioned to Alaska for fiscal year 1960 and prior fiscal years;

"(5) Sections 107 (b) and (d) of the Federal-Aid Highway Act of 1956 (70 Stat. 374, 377, 378);

"(6) Section 2 of the Act of January 27, 1905 (33 Stat. 616), as amended (48 U.S.C. 322 and the following); and

"(7) The Act of June 30, 1932 (47 Stat. 446), as amended (48 U.S.C. 321(a) and the following).

"(e) Effective on July 1, 1959, the following provisions of law are amended:

"(1) The definition of the term 'State' in title 23, United States Code, section 101 (a), is amended to read as follows:

"The term 'State' means any one of the forty-nine States, the District of Columbia, Hawaii, or Puerto Rico;.

"(2) Title 23, United States Code, section 104(b) is amended by deleting the phrase 'except that only one-third of the area of Alaska shall be included' where it appears in paragraphs (1) and (2) of said section 104(b);

"(3) Title 23, United States Code, section 116(a), is amended by deleting the phrase 'Except as provided in subsection (d) of this section,' and by capitalizing the word 'it' immediately following such phrase; and

"(4) Title 23, United States Code, section 120(a), is amended by deleting the phrase 'subsections (d) and (h)' and by inserting in lieu thereof the phrase 'subsection (d)'.

"INTERNAL REVENUE

"SEC. 22. (a) Section 2202 of the Internal Revenue Code of 1954 (relating to missionaries in foreign service), and sections 3121(e) (1), 3306(j), 422(d) (4), and 4233(b) of such Code (each relating to a special definition of 'State') are amended by striking out 'Alaska,'.

"(b) Section 4262(c) (1) of the Internal Revenue Code of 1954 (definition of 'continental United States') is amended to read as follows:

"(1) CONTINENTAL UNITED STATES.—The term "continental United States" means the District of Columbia and the States other than Alaska.'

"(c) Section 4502(5) of the Internal Revenue Code of 1954 (relating to definition of 'United States') is amended by striking out 'the Territories of Hawaii and Alaska' and by inserting in lieu thereof 'the Territory of Hawaii'.

"(d) Section 4774 of the Internal Revenue Code of 1954 (relating to territorial extent of law) is amended by striking out 'the Territory of Alaska,'.

"(e) Section 7621(b) of the Internal Revenue Code of 1954 (relating to boundaries of internal revenue districts) is amended to read as follows:

"(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite into one district two or more States or a Territory and one or more States.'

"(f) Section 7653(d) of the Internal Revenue Code of 1954 is amended by striking out 'its Territories or possessions' and inserting in lieu thereof 'its possessions or the Territory of Hawaii'.

"(g) Section 7701(a) (9) of the Internal Revenue Code of 1954 (relating to definition of 'United States') is amended by striking out 'the Territories of Alaska and Hawaii' and inserting in lieu thereof 'the Territory of Hawaii'.

"(h) Section 7701(a) (10) of the Internal Revenue Code of 1954 (relating to definition of State) is amended by striking out 'Territories' and inserting in lieu thereof 'Territory of Hawaii'.

"(i) The amendments contained in subsections (a) through (h) of this section shall be effective as of January 3, 1959.

"COURTS

"SEC. 23. (a) The Judicial Conference of the United States, with the assistance of the Administrative Office of the United States Courts, shall conduct a study, including a field survey, of the Federal judicial business arising in the State of Alaska with a view toward authorizing the United States Court of Appeals for the Ninth Circuit to hold such terms of court in Anchorage or such

other Alaskan cities as may be necessary for the prompt and efficient administration of justice.

"(b) Title 28, United States Code, section 81A, is amended by inserting the word 'Ketchikan,' immediately following the word 'Juneau,'.

"(c) Such authority as has been exercised by the Attorney General heretofore, with regard to the Federal court system in Alaska, pursuant to section 30 of the Act of June 6, 1900 (48 U.S.C. 25), shall continue to be exercised by him after the court created by section 12(b) of the Act of July 7, 1958 (72 Stat. 339, 348), providing for the admission of the State of Alaska into the Union, is established.

"(d) All balances of public moneys received by the clerks of each division of the District Court for the Territory of Alaska pursuant to section 10 of the Act of June 6, 1900, as amended (48 U.S.C. 107), which are on hand after all payments ordered by that court and approved by the Administrative Office of the United States Courts shall have been made, shall be covered into the Treasury of the United States as required by law, and the Secretary of the Treasury shall pay the amounts so covered, which are hereby appropriated, to the State of Alaska.

"VOCATIONAL REHABILITATION ACT

"SEC. 24. (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act (29 U.S.C., supp. V, sec. 41(g)), relating to definition of State, is amended by striking out 'Alaska,'.

"(b) (1) Subsection (i) and paragraph (1) of subsection (h) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services, are each amended by striking out '(excluding Alaska)' and inserting in lieu thereof '(including Alaska)'.

"(2) Paragraph (1) of such subsection (h) is further amended by striking out 'Alaska,'.

"(3) Such subsection (i) is further amended by striking out 'Hawaii and Alaska' in clause (B) and inserting in lieu thereof 'Hawaii'.

"GOLD RESERVE ACT

"SEC. 25. Section 15 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 444), is further amended by striking out the words 'the District of Columbia, and the Territory of Alaska' and inserting in lieu thereof the words 'and the District of Columbia'.

"SILVER PURCHASE ACT

"SEC. 26. Section 10 of the Silver Purchase Act of 1934 (31 U.S.C. 448b), is amended by striking out the words 'the District of Columbia, and the Territory of Alaska' and inserting in lieu thereof the words 'and the District of Columbia'.

"NATIONAL GUARD

"SEC. 27. Title 32, United States Code, section 101(1), is amended by striking out the words 'Alaska, Hawaii,' and inserting in lieu thereof the word 'Hawaii'.

"WATER POLLUTION CONTROL ACT

"SEC. 28. (a) Paragraph (1) of section 5 (h) of the Federal Water Pollution Control Act (33 U.S.C., supp. V, sec. 466d(h) (1)), relating to Federal share for purposes of matching for program operation, is amended by striking out '(excluding Alaska)' and inserting in lieu thereof '(including Alaska)' and by striking out, in clause (B), 'and Alaska'.

"(b) Subsection (d) of section 11 of such Act (33 U.S.C., supp. V, sec. 466j(d)), is amended by striking out 'Alaska,'.

"VETERANS' ADMINISTRATION

"SEC. 29. (a) Title 38, United States Code, section 903(b), is amended by striking out the words 'or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United

States as a beneficiary of the Veterans' Administration for hospital or domiciliary care'; by inserting the word 'continental' immediately before the words 'United States' the second time they appear in such section; and by inserting, immediately following the words 'continental United States' in both places where they appear in such section, the parenthetical phrase '(including Alaska)'.

"(b) Title 38, United States Code, section 2007(c), is amended by striking out the word 'Alaska'.

"FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

"SEC. 30. (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(f)), is amended by striking out the words 'Hawaii, Alaska,' and inserting in lieu thereof the words '(including Alaska), Hawaii'.

"(b) Subsection (a) of section 702 of such Act (40 U.S.C., supp. V, sec. 522(a)), is amended by striking out the words 'Territories of Alaska and Hawaii' and inserting in lieu thereof the words 'Territory of Hawaii'.

"PUBLIC HEALTH SERVICE ACT

"SEC. 31. (a) Subsection (f) of section 2 of the Public Health Service Act (42 U.S.C. 201(f)), relating to definition of State, is amended by striking out 'Hawaii, Alaska,' and inserting in lieu thereof 'Hawaii,' and by striking out ', the District of Columbia, or Alaska and inserting in lieu thereof 'or the District of Columbia'.

"(b) (1) Effective July 1, 1959, section 371 of the Public Health Service Act, as added by the Alaska Mental Health Enabling Act (42 U.S.C., supp. V, sec. 273), is repealed.

"(2) Subsection (a) of section 372 of such Act (42 U.S.C., supp. V, sec. 274(a)), is amended by striking out 'the Territory of'.

"(3) Subsections (b), (c), and (e) of such section are each amended by striking out 'the Territory' each time it appears and inserting in lieu thereof 'Alaska'.

"(4) Such subsection (e) is further amended by striking out 'the Territory's' and inserting in lieu thereof 'Alaska's'.

"(c) (1) Subsection (a) of section 631 of such Act (42 U.S.C., supp. V, sec. 291(a)), relating to definition of allotment percentage for purposes of allotments for construction, is amended by striking out '(excluding Alaska)' and inserting in lieu thereof '(including Alaska)' and by striking out 'for Alaska and Hawaii shall be 50 per centum each' in clause (2) and inserting in lieu thereof 'for Hawaii shall be 50 per centum'.

"(2) Subsection (d) of such section, relating to definition of State, is amended by striking out 'Alaska'.

"SOCIAL SECURITY ACT

"SEC. 32. (a) Paragraph (8) of section 1101(a) of the Social Security Act (72 Stat. 1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out 'Alaska and' in clause (11) of subparagraph (A) and by striking out '(excluding Alaska)' in subparagraphs (A) and (B) and inserting in lieu thereof '(including Alaska)'.

"(b) (1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out '50 per centum in the case of Alaska and' in clause (B).

"(2) Subsection (b) of such section, relating to definition of Federal share for purposes of matching for child welfare services, is amended by striking out '50 per centum in the case of Alaska and' in clause (2).

"(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares and allot-

ment percentages, are each amended by striking out '(excluding Alaska)' and inserting in lieu thereof '(including Alaska)'.

"(c) (1) The last sentence of section 202(1) of the Social Security Act (42 U.S.C., supp. V, sec. 402(1)), is amended by striking out 'forty-eight' and inserting in lieu thereof 'forty-nine'.

"(2) Subsections (h) and (i) of section 210 of such Act (42 U.S.C. 410(h), (i)), relating to definitions of State and United States for purposes of old-age, survivors, and disability insurance, are each amended by striking out 'Alaska'.

"(d) (1) Paragraph (1) of section 1101(a) of the Social Security Act (42 U.S.C., supp. V, sec. 1301(a)(1)), relating to definition of State, is amended by striking out 'Alaska, Hawaii,' and inserting in lieu thereof 'Hawaii'.

"(2) Paragraph (2) of such section (42 U.S.C. 1301(a)(2)), relating to definition of United States, is amended by striking out 'Alaska'.

"CONGRESSIONAL RECORD

"SEC. 33. Section 73 of the Act of January 12, 1895, as amended (44 U.S.C., supp. V, sec. 183), is further amended by striking out the word 'Alaska'.

"FEDERAL REGISTER

"SEC. 34. Section 8 of the Federal Register Act (44 U.S.C. 308) is amended by striking out the parenthetical phrase '(not including Alaska)' and inserting in lieu thereof the parenthetical phrase '(including Alaska)'.

"AIRPORTS

"SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States.

"(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), which has not been completed by the date of enactment of this Act, may be completed according to the terms thereof.

"SELECTIVE SERVICE

"SEC. 36. Section 16(b) of the Universal Military Training and Service Act, as amended (50 U.S.C., app., sec. 466(b)), is further amended by striking out the word 'Alaska'.

"REAL PROPERTY TRANSACTIONS

"SEC. 37. Section 43(c) of the Act of August 10, 1956 (50 U.S.C., app., supp. V, sec. 2285(c)), is amended by striking out the word 'Alaska'.

"RECREATION FACILITIES

"SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat. 130), is hereby repealed. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1960, such sums as may be necessary to complete the construction of facilities described in section 1 of such Act, as amended by the Act of August 30, 1957 (71 Stat. 510), if construction was begun prior to June 30, 1959, and to maintain the facilities pending their transfer pursuant to such section.

"AIRCRAFT LOAN GUARANTEES

"SEC. 39. Section 3 of the Act of September 7, 1957 (71 Stat. 629), is amended by striking out the words 'Territory of Alaska' and inserting in lieu thereof the words 'State of Alaska'.

"DEFENSE BASE ACT

"SEC. 40. (a) Paragraphs (2) and (3) of section 1(a) of the Defense Base Act, as amended (55 Stat. 622; 42 U.S.C. 1651 and the following), are amended by striking out 'Alaska,' in the parenthetical phrase in each paragraph.

"(b) Paragraph (6) of section 1(a) of that Act is amended by striking out 'or in Alaska or the Canal Zone'.

"(c) Section 1(b) of that Act is amended by striking the period at the end of paragraph (3), inserting in lieu thereof a semicolon, and adding the following paragraph: "(4) the term 'continental United States' means the States and the District of Columbia."

"TIMBER REMOVAL

"SEC. 41. The Act of March 3, 1891 (26 Stat. 1093), as amended (16 U.S.C. 607), is further amended by deleting the words 'Territory of Alaska' and the words 'or Territory' where they there appear and by inserting the word 'Alaska' after the words 'In the State of'.

"WAR HAZARDS COMPENSATIONS ACT

"SEC. 42. (a) Paragraphs (2), (3), and (5) of section 101(a) of the War Hazards Compensation Act, as amended (56 Stat. 1028; 42 U.S.C. 1701 and the following), are amended by striking out 'or in Alaska or the Canal Zone'.

"(b) Section 104 of that Act is amended by adding the following new subsection at the end thereof:

"(c) The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State."

"(c) Section 201 of that Act is amended by adding the following new subsection at the end thereof:

"(f) the term 'continental United States' means the States and the District of Columbia."

"BUY AMERICAN ACT

"SEC. 43. Section 1(b) of title III of the Act of March 3, 1933 (41 U.S.C. 10c(b)), is amended by striking out the word 'Alaska'.

"TRANSITIONAL GRANTS

"SEC. 44. (a) In order to assist the State of Alaska in accomplishing an orderly transition from Territorial status to statehood, and in order to facilitate the assumption by the State of Alaska of responsibilities hitherto performed in Alaska by the Federal Government, there are hereby authorized to be appropriated to the President, for the purpose of making transitional grants to the State of Alaska, the sum of \$10,500,000 for the fiscal year ending June 30, 1960; the sum of \$6,000,000 for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$3,000,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964.

"(b) The Governor of Alaska may submit to the President a request that a Federal agency continue to provide services or facilities in Alaska for an interim period, pending the provision of such services or facilities by the State of Alaska. Such interim period shall not extend beyond June 30, 1964. In the event of such request, and in the event of the approval thereof by the President, the President may allocate, at his discretion, to such agency the funds necessary to finance the provision of such services or facilities. Such funds shall be allocated from appropriations made pursuant to subsection (a) hereof, and the amount of such funds shall be deducted from the amount of grants

available to the State of Alaska pursuant to such subsection.

"(c) After the transfer or conveyance to the State of Alaska of any property or function pursuant to the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, or pursuant to this Act or any other law, and until June 30, 1964, the head of the Federal agency having administrative jurisdiction of such property prior to its transfer or conveyance may contract with the State of Alaska for the performance by such agency, on a reimbursable basis, of some or all of the functions authorized to be performed by it in Alaska immediately preceding such conveyance or transfer.

"TRANSFER OF PROPERTY

"SEC. 45. (a) If the President determines that any function performed by the Federal Government in Alaska has been terminated or curtailed by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion, transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal situated in Alaska which is owned or held by the United States in connection with such function, the assumption of which function is pursuant to this Act or the Act of July 7, 1958 (72 Stat. 339).

"(b) Structures and improvements of block 32 of the city of Juneau granted to the State of Alaska by section 6(c) of the Act providing for the admission of Alaska into the Union (72 Stat. 339, 340), shall include all furnishings and equipment in the structure known as the Governor's mansion, or used in the operation or maintenance thereof.

"CLAIMS COMMISSION

"SEC. 46. (a) In the event that any disputes arise between the United States and the State of Alaska prior to January 1, 1965, concerning the transfer, conveyance, or other disposal of property to the State of Alaska pursuant to section 6(e) of the Act of July 7, 1958 (72 Stat. 339, 340), providing for the admission of the State of Alaska into the Union, or pursuant to this Act, the President is authorized (1) to appoint by and with the advice and consent of the Senate a temporary commission of three persons, to consider, ascertain, adjust, determine, and settle such disputes, and (2) to make such rules and regulations as may be necessary to establish such temporary commission or as may be necessary to terminate such temporary commission at the conclusion of its duties. In carrying out its duties under this section, such commission may hold such hearings, take such testimony, sit and act at such times and places, and incur such expenditures as the commission deems necessary. No commission shall be appointed under authority of this subsection after June 30, 1965.

"(b) The commission may, without regard to the civil service laws and the Classification Act of 1949, employ and fix the compensation of such employees as it deems necessary to carry out its duties under this section. The commission is authorized to use the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the United States Government which it deems necessary to carry out its duties; and each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the commission upon request made by the commission. The commission shall reimburse each such department, agency, or instrumentality for the services of any personnel utilized. The commission may establish such procedures, rules, and regulations as may be necessary to carry out its duties under this section.

"(c) No member of such commission shall be an officer or employee of the United States or of the State of Alaska. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission. Each member of the commission shall be paid compensation at the rate of \$50 per day for each day spent in the work of the commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance in accordance with the provisions of the Travel Expense Act of 1949, as amended, when away from his usual place of residence.

"(d) There are hereby authorized to be appropriated such sums as may be necessary to enable the commission to perform its duties under this section.

"EFFECTIVE DATES

"SEC. 47. (a) The amendments made by paragraph (2) of subsection (a) of section 18, by subsection (a) of section 28, by paragraph (1) of subsection (c) of section 31, by subsections (a) and (b) of section 32, and, except as provided in subsection (c) of this section, by subsection (b) of section 24, shall be applicable in the case of promulgations of Federal shares, allotment percentages, allotment ratios, and Federal percentages, as the case may be, made after satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, and for this purpose such promulgations shall, before such data for the full period required by the applicable statutory provision as so amended are available from the Department of Commerce, be based on satisfactory data available from such Department for such one full year or, when such data for a two-year period are available, for such two years.

"(b) The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958, for fiscal years beginning July 1, 1959, and, in the case of allotments under section 302(a) of such Act, in the case of allotments based on allotment ratios, promulgated under such section 302(a), to which the amendment made by paragraph (2) of subsection (a) of section 18 of this Act is applicable.

"(c) (1) The allotment percentage determined for Alaska under section 11(h) of the Vocational Rehabilitation Act, as amended by this Act, for the first, second, third, and fourth years for which the amendments made by this Act are applicable to such section shall be increased by 76 per centum, 64 per centum, 52 per centum, and 28 per centum, respectively, of the difference between such allotment percentage for the year involved and 75 per centum.

"(2) The Federal share for Alaska determined under section 11(i) of the Vocational Rehabilitation Act, as amended by this Act, for the first year for which the amendments made by this Act are applicable to such section shall be increased by 70 per centum of the difference between such Federal share for such year and 60 per centum.

"(3) If such first year for which such amendments made by this Act are applicable in any fiscal year ending prior to July 1, 1962, the adjusted Federal share for Alaska for such year for purposes of section 2(b) of the Vocational Rehabilitation Act shall, notwithstanding the provisions of paragraph (3) (A) of such section 2(b), be the Federal share determined pursuant to paragraph (2) of this subsection.

"(d) The amendments made by paragraphs (2) and (3) of subsection (b), by subsection (c), and by paragraph (4) of subsection (d) of section 18; by subsection (a) of section 24; by subsection (b) of section 28; by subsection (a), by subparagraphs

(2), (3), and (4) of subsection (b), and by paragraph (2) of subsection (c) of section 31; by paragraph (2) of subsection (c) and by subsection (d) of section 32; and, except as provided in subsection (b) of this section by paragraph (1) of subsection (a) of section 18, shall be effective on January 3, 1959.

"(e) The amendment made by paragraph (1) of subsection (c) of section 32 shall apply in the case of deaths occurring on or after January 3, 1959.

"(f) The amendments made by paragraph (1) of subsection (b) and paragraphs (1), (2), and (3) of subsection (d) of section 18 shall be applicable for fiscal years beginning July 1, 1959.

"(g) The amendments in sections 40 and 42 shall take effect when enacted: *Provided, however,* That with respect to injuries or deaths occurring on or after January 3, 1959, and prior to the effective date of these amendments, claims filed by employees engaged in the State of Alaska in any of the employments covered by the Defense Base Act (and their dependents) may be adjudicated under the Workmen's Compensation Act of Alaska instead of the Defense Base Act.

"DEFINITION OF 'CONTINENTAL UNITED STATES'

"SEC. 48. Whenever the phrase 'continental United States' is used in any law of the United States enacted after the date of enactment of this Act, it shall mean the 49 States on the North American Continent and the District of Columbia, unless otherwise expressly provided.

"OTHER SUBJECTS

"SEC. 49. The amendment by this Act of certain statutes by deleting therefrom specific references to Alaska or such phrases as 'Territory of Alaska' shall not be construed to affect the applicability or inapplicability in or to Alaska of other statutes not so amended.

"SEPARABILITY

"SEC. 50. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby."

The Senate amendment as amended was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND ON THE WHEAT BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members who spoke on the wheat bill (H.R. 7246) in the Committee of the Whole may revise and extend their remarks, and that all Members may have 5 legislative days in which to extend their remarks on that bill.

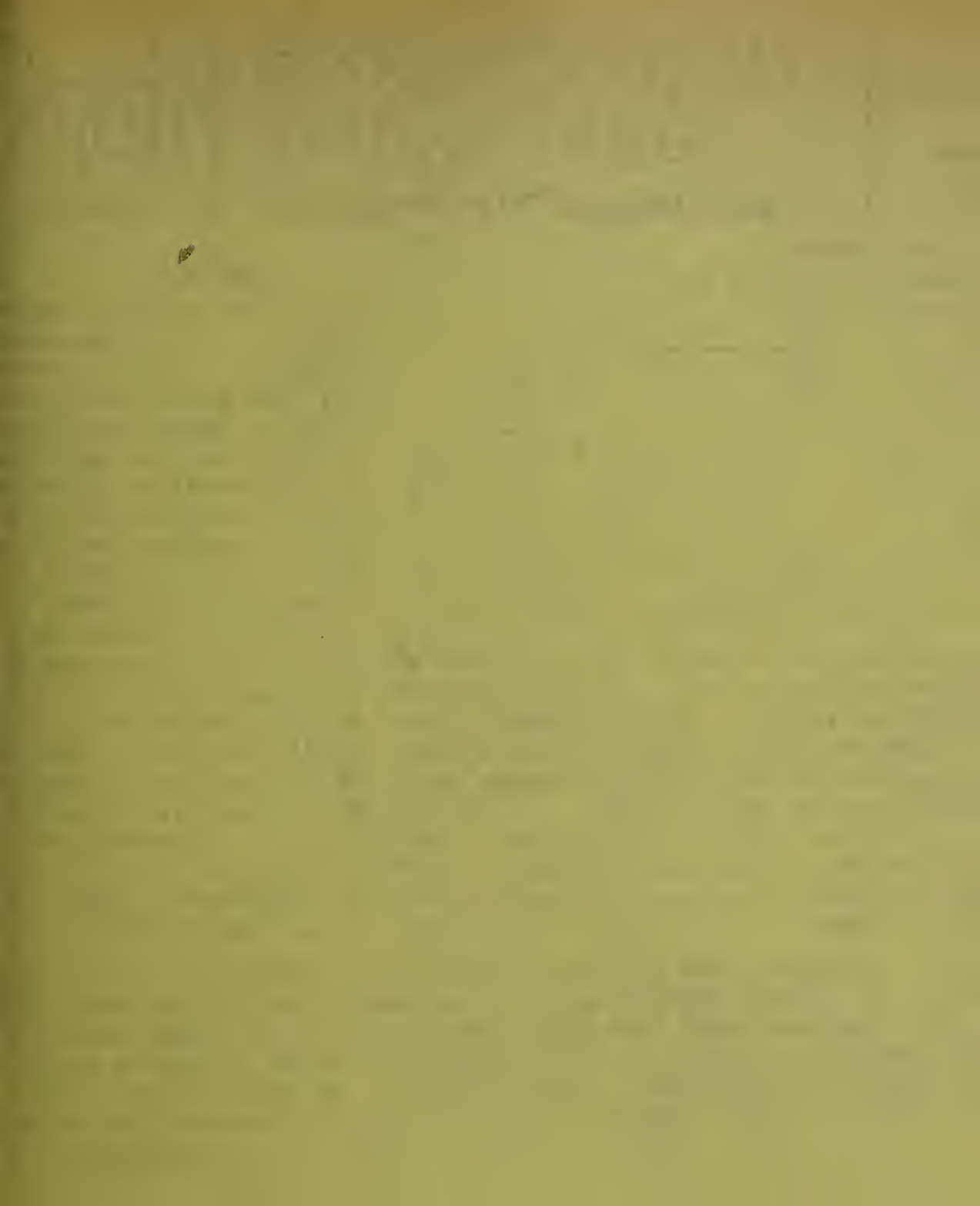
The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DEDICATION CEREMONIES, AVCO RESEARCH CENTER, WILMINGTON, MASS.

The SPEAKER. Under the previous order of the House the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

(Mrs. ROGERS of Massachusetts asked and was given permission to revise and extend her remarks.)



Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

Issued June 15, 1959

For actions of June 12, 1959

86th-1st, No. 97

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HIGHLIGHTS: House passed wheat bill. Conferees were appointed in both Houses. Senate concurred in House amendment to tobacco price support bill. House received conference report on Interior appropriation bill (includes FS). Senate passed bill to extend authority for refinancing farm loans. Senate passed over bill to provide for centennial celebration of establishment of USDA and land-grant colleges. Sens. Johnston and Neuberger and Rep. Morrison introduced and Sen. Johnston discussed Federal employee health bill.

SENATE

1. **TOBACCO.** Concurred in the House amendment to S. 1901, which provides that tobacco price supports shall be 90% of parity computed under the new or old formula, whichever is lower (pp. 9583-4). This bill will now be sent to the President. The House amendment limited to \$50,000 the total amount of CCC loans or purchases made to any person on the 1960 production of tobacco.

2. **WHEAT.** Sen. Humphrey commended the action of the House in passing S. 1968, the wheat bill, and expressed hope that Senate conferees will agree with the House action. pp. 9634-5

Sen. Proxmire inserted a newspaper article, "The State of Congress," commenting on the status of legislation, including the lack of agreement "on a wheat program, let alone a basic change in the disastrous farm program generally." p. 9576

3. ALASKA. Agreed to the House amendment to H. R. 7120, to amend certain laws of the U. S. in light of the admission of Alaska into the Union (p. 9575). This bill will now be sent to the President.
4. FARM LOANS. Passed without amendment S. 1941, to amend Sec. 17 of the Bankhead-Jones Farm Tenant Act so as to continue the authority of FHA to make real estate loans for refinancing farm debts for two years, until June 30, 1961. p. 9589
5. WATER UTILIZATION. Passed without amendment H. R. 1306, to amend the Columbia Basin Project Act so as to permit delivery of water for use by Washington State College for research purposes (pp. 9584-5). This bill will now be sent to the President.
6. POSTAL RATES. Passed without amendment H. R. 5212, to revise the minimum charge on pieces of mail of odd sizes and shapes (p. 9587). This bill will now be sent to the President.
7. ARCHEOLOGICAL DATA. Passed without amendment S. 1185, to provide for the preservation of historical and archeological data which might otherwise be lost as a result of the construction of a dam. p. 9592
8. CENTENNIAL CELEBRATION. Passed over, at the request of Sen. Engle, H. R. 4012, to provide for the centennial celebration of the establishment of the Department of Agriculture and the land-grant colleges and State universities. p. 9587
Sen. Wiley urged passage of this bill and inserted a statement on the purpose of the centennial observances. pp. 9577-8
9. MILITARY CONSTRUCTION. Passed over, at the request of Sen. Engle, H. R. 5674, to authorize construction at military installations, including the use of foreign currencies under Public Law 480 for foreign military housing. p. 9584
10. REORGANIZATION PLANS. Passed over, at the request of Sen. Engle, H. R. 5140, to amend the Reorganization Act of 1949 so as to extend the time in which the Act will apply to reorganization plans transmitted to Congress at any time before June 1, 1961. p. 9588
11. RESEARCH. Passed over, at the request of Sen. Engle, S. 864, to provide greater protection against the introduction and dissemination of diseases of livestock and poultry. p. 9589
12. FARM CREDIT. Passed over, at the request of Sen. Engle, S. 1513, to clarify the status of the Federal land banks, the Federal intermediate credit banks, and the banks for cooperatives and their officers and employees with respect to certain laws applicable to officers and employees of the U. S.; and S. 1512 to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks. p. 9589
3. APPROPRIATIONS. Passed over, at the request of Sen. Engle, S. 2094, to authorize appropriations for the Atomic Energy Commission. p. 9592
4. LAND. Passed as reported S. 1521, to provide for the removal of restrictions on use with respect to a tract of land in Cumberland Co., Tenn., formerly under the jurisdiction of FHA, which was conveyed to Tenn. pp. 9596

HON. RICHARD L. NEUBERGER,
Chairman, Subcommittee on Insurance, Senate Post Office and Civil Service Committee, U.S. Senate, Washington, D.C.:

Based on our conference with your committee staff yesterday and our understanding of the provisions in the bill which you will introduce today, the insurance business believes that under this bill it would have an opportunity to serve Government employees by offering them a modern pattern of health insurance benefits which has found wide public acceptance and which currently protects millions of employees in private industry.

We are of the opinion that the measure provides a practicable basis for the development of a program of health care benefits for Federal Government employees, their families, and dependents. Prior to final enactment, we urge careful consideration of the relationship of benefits and costs under the proposed legislation, because although almost all types of health care are indicated in the bill, the benefits received will necessarily depend upon the actual number of dollars available.

We hope that prompt action will be taken on the bill and stand ready to provide such further technical assistance as may be desired.

AMERICAN LIFE CONVENTION.

HEALTH INSURANCE ASSOCIATION OF AMERICA.
LIFE INSURANCE ASSOCIATION OF AMERICA.

APPORTIONMENT OF AUTHORIZED AMOUNTS OF HIGHWAY FUNDS FOR 1961 AND 1962 AND ISSUANCE OF LIMITED INTERIM HIGHWAY TRUST FUND REVENUE BONDS

Mr. CASE of South Dakota. Mr. President, I introduce, for appropriate reference, a joint resolution which would authorize the Secretary of the Treasury to issue limited interim revenue bonds to keep the huge Interstate Highway program on schedule.

Grants already made to States for the fiscal years 1959 and 1960 have depleted the highway trust fund, which is formed by highway-user taxes to finance road construction.

This leaves the Secretary of Commerce unable to make State apportionments for 1961 and 1962 unless a new source of funds is found.

Under the joint resolution I am introducing, the Treasury could issue against the highway fund short-term notes totaling not more than \$5 billion up to 1972. No more than \$2 billion could be borrowed before July 1, 1961, when a special report on the Interstate Highway program cost and progress is due.

The interest on the notes or bonds issued, as well as the notes and bonds themselves, would be repaid from trust fund earnings by 1972, when present highway levies expire.

A pay-as-you-go clause now in Federal law was suspended for the years 1959 and 1960. The House Public Works Committee has recommended that it be suspended again for the fiscal year 1961. But that would throw onto the General Treasury the burden of meeting the contractor bills and would add from \$2 billion to \$3 billion to Treasury deficits.

Mr. President, that solution, I am afraid, would not receive general acceptance.

The administration has recommended a 1½-cent increase in the Federal gaso-

line tax. Thus far there has been little congressional support for it.

So I am introducing this joint resolution for interim financing in an effort to find a solution which would secure the necessary acceptance.

Mr. President, I do not know that other Senators will wish to join me at this time in sponsoring the joint resolution. However, one or two Senators have indicated some interest in this measure. Therefore, I ask unanimous consent that the joint resolution lie at the desk until the conclusion of the session on Tuesday of next week in order that other Senators who may wish to join me in sponsoring the joint resolution may have an opportunity to do so.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie at the desk, as requested by the Senator from South Dakota.

The joint resolution (S.J. Res. 109) to authorize the Secretary of Commerce to apportion the authorized amounts of highway funds for 1961 and 1962 and the Secretary of the Treasury to issue limited interim highway trust fund revenue bonds maturing not later than June 30, 1972, introduced by Mr. CASE of South Dakota, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF CERTAIN LAWS RELATING TO THE ADMISSION OF THE STATE OF ALASKA INTO THE UNION

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the House of Representatives which will be stated for the information of the Senate.

The legislative clerk read as follows:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 7120) entitled "An act to amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes," and concur therein with an amendment, as follows:

In section 23(a) of the Senate amendment, strike out the word "authorizing" and insert in lieu thereof the word "directing."

Mr. GRUENING. Mr. President, the amendment merely changes the word "authorizing" to "directing" in the proposal of the Administrative Office of U.S. Courts and the Judicial Conference with respect to the desirability of having the U.S. circuit court sit at Anchorage, Alaska. That is the only amendment. I move that the amendment be agreed to.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Alaska state whether this is an amendment to the Alaska omnibus bill?

Mr. GRUENING. It is.

Mr. JOHNSON of Texas. The bill amends various laws in order to facilitate the transition of Alaska from the jurisdiction of Federal laws to the jurisdiction of State laws, does it not?

Mr. GRUENING. That is correct. The bill received the unanimous approval of this body and the other body.

Mr. JOHNSON of Texas. I commend the distinguished Senator from Alaska [Mr. GRUENING] and his colleague [Mr. BARTLETT] for the manner in which they have handled the proposed legislation. I am delighted to know that the bill will be on its way to the White House in a short time.

Mr. GRUENING. My colleague and I are grateful to the Senate and to the other body for their speedy action on the bill.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1959— EXTENSION OF TIME TO HOLD BILL FOR ADDITIONAL COSPONSORS

Mr. BENNETT. Mr. President, my colleague, the Senator from Colorado [Mr. ALLOTT] on June 9, 1959, introduced the bill (S. 2144) to simplify, consolidate, and improve the authority of the Secretary of Agriculture with respect to loans to farmers and ranchers, and for other purposes, which he asked to have lie on the desk until the close of business tonight, to make it possible for other Senators to add their signatures as cosponsors. At the request of the Senator from Colorado, I ask unanimous consent that the bill be permitted to lie on the desk until Monday night for that same purpose.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. JOHNSON of Texas:

Tribute to Roy Bedichek, of Falls County, Tex., published in the New York Herald Tribune of June 12, 1959.

By Mr. HUMPHREY:

Address Orville L. Freeman, Governor of Minnesota, delivered at Jefferson-Jackson Day dinner, at Newark, N.J., on May 9, 1959, which will appear hereafter in the Appendix.

By Mr. CASE of South Dakota:

Address entitled "Cars, Cows, and Highways," delivered by Ellis L. Armstrong, Commissioner of the Bureau of Public Roads, at the 68th annual convention of the South Dakota Stockgrowers Association, at Rapid City, S. Dak., on June 4, 1959.

By Mr. MURRAY:

Address delivered by Mr. Clay L. Cochran, of the industrial union department of the AFL-CIO, at the National Farmers Union convention, in Springfield, Ill.

By Mr. CARLSON:

Address on the functioning of the courts, delivered by Ross L. Maloné, president of the American Bar Association, at the annual meeting of the Kansas State Bar Association at Hutchinson, Kans., on May 8, 1959.

By Mr. KEATING:

Address by Samuel F. Pryor, vice president Pan American World Airways, delivered before graduating class of St. Bonaventure University, New York, June 7, 1959.

By Mr. LAUSCHE:

Letter addressed by him to Attorney General William P. Rogers regarding the Parker lynching case in Mississippi.

By Mr. NEUBERGER:

Excerpts from address by Francis O. Wilcox, Assistant Secretary for International Organization Affairs, delivered before the National Citizens Committee for the World Health Organization on June 8, 1959.

Letters written by Dr. Jacobson, dean of the School of Education, University of Oregon, and Mr. Guilford Jameson, ICA Deputy Director for Congressional Relations.

By Mr. PROXMIRE:

Editorial entitled "Higher Interest Rates and New Debt Limit To Pay Them," published in the Capital Times, of Madison, Wis., on June 10, 1959.

By Mr. YARBOROUGH:

Editorial entitled "Waste of Water Can Lead to Real Trouble for USA," from the Saturday Evening Post for June 6, 1959.

Editorial entitled "What Money Can Do," from the Washington Post and Times Herald of May 29, 1959.

Editorial entitled "Who's Responsible for Inflation," from the Tulia (Tex.) Herald for June 4, 1959.

By Mr. WILEY:

Articles from the Christian Science Monitor and the Chicago Daily Tribune relating to the tourist attractions of Wisconsin.

By Mr. BYRD of West Virginia:

Poem entitled "Hill Hunger," written by Lillian Mayfield Roberts, and published in the West Virginia Review.

THE STATE OF CONGRESS

Mr. PROXMIRE. Mr. President, various leading Members of Congress have talked in glowing terms about the accomplishments of the Congress to date. Other commentators have called it a "do nothing," "do little," "won't do," or even an "alibi Ike," or perhaps I should say "Alibi is 'Ike,'" Congress.

This morning's New York Times carries an objective and, in my judgment, unusually accurate evaluation of what the Congress has done to date.

The point of the New York Times editorial is that if this Congress is to have an impressive record, its job lies ahead. It has not done the job yet.

Congress has made no real progress with such problems as aid-for-education legislation, a farm program, and civil rights, to mention a few of the more important challenges.

On the other hand, as the New York Times points out, the last 2 months of a session are likely to be its most productive. Furthermore, we are in only the first year of the 2-year 86th Congress.

The Times sympathetically perceives another ironic problem of this Congress. As the editorial puts it:

The cruelest of all for a relatively liberal Congress. A group of men elected on pledges of clearing slums, building hospitals and providing jobs in distressed areas finds itself asked instead to raise interest rates and curb spending.

Mr. President, I ask unanimous consent that this shrewd analysis of the progress of the Congress to date be printed in the RECORD at this point.

There being no objection, the editorial was ordered printed in the RECORD, as follows:

[From the New York Times, June 12, 1959]

THE STATE OF CONGRESS

Senator LYNDON JOHNSON, the Democratic leader, is justified in his annoyance at charges that the present session of Congress is establishing a "won't do" record. As al-

ways, the true portrait of the session will be painted in its last 2 months, and Senator JOHNSON has listed an impressive array of legislation he counts on passing in that time. Although the record to date is not exceptional for accomplishment, neither is it a record of unusual sluggishness. Some important items have already reached the President.

But the final judgment of a Congress must rest more on the quality of what is done than the quantity. What are the major problems confronting the country, and what will Congress do about them?

The major problems are of exceptional difficulty and complexity: Labor union reform; the farm problem; the "mix" in our defenses; civil rights and the Negro problem generally; the national shortage of school classrooms; and, involved in some of the others, the fiscal condition of the Government and the ever-present threat of inflation.

Each of these contains its inherent dilemmas. The last named, the "spending" issue, is in a sense the cruelest of all for a relatively liberal Congress. A group of men elected on pledges of clearing slums, building hospitals and providing jobs in distressed areas finds itself asked instead to raise interest rates and curb spending—and with solid justification.

Many of these dilemmas have temporarily resolved themselves in delay. The men in charge of farm legislation cannot even agree on a wheat program, let alone a basic change in the disastrous farm program generally. Labor reform is touch-and-go in committee in the House. The housing and airport bills, passed with a flourish by the Senate in its first few weeks, are still mired in conference. Civil rights bills have not even been reported by subcommittees in either House. Aid to education faces the same old impasse.

But the problems will not go away just because they are difficult. The President has presented a program in each of these areas. While Senator JOHNSON and his followers obviously cannot be expected to enact the administration plan in every case, they have the responsibility to produce legislation that both attacks the problems and is not so far from the President's wishes as to invite a veto. Senator JOHNSON and Speaker RAYBURN face a formidable task of reconciliation and compromise, a task that has its hardest days ahead. In the end, the evaluation of this Congress will rest upon how well they succeed in it.

CENTENNIAL OF BIRTH OF THOMAS J. WALSH, OF MONTANA

Mr. MURRAY. Mr. President, I call attention to the fact that today is the centennial of the birth of the late illustrious Thomas J. Walsh, Senator from Montana.

Although he may be remembered longest for the notable service he rendered in the exposé of the fraudulent naval oil leases, there are other issues that brought him inevitably along the road to fame. He had the daring and prophetic vision to recognize industrial potentialities in the Nation's resources. He believed that Americans should not allow the immense waterpower in streams to flow to the seas without benefit to the people. But, as his biographer, Miss Josephine O'Keane, has pointed out, he fought every proposal to divest the Nation of this wealth by giving private interests access to public resources and granting favors to private utility companies and other corporations. His views in defense of public power and water rights covered more

than 2,000 pages in a single session of the CONGRESSIONAL RECORD. Few bills in the fields of reclamation-irrigation, agriculture, mining, and Federal highway construction escaped his touch. Much of the reclamation-irrigation program now underway, for instance, stems from his prophetic thinking.

His was the laboring oar in connection with the important legislation which resulted in construction of the St. Lawrence Seaway, the creation of which will have profound impact upon the landlocked Middle West. He saw tremendous economic advantages in that waterway. The last public service Senator Walsh rendered was his plea that brought the Seaway Treaty to the Senate Chamber. The measure carried over into a new administration, where others took up the banner the fallen Senator had dropped. Coincidentally, this summer the first oceangoing vessels are docking in Duluth—1,500 miles from seacoast—and are unloading cargo from the ends of the world.

Senator Walsh, like Jefferson, was always interested in the welfare of the common man. His uncompromising stand for workmen's rights against industrial interests practically made him a legend. Because the postwar unemployment resulted from the cessation of tremendous war expenditures, Senator Walsh contended that it was absolutely necessary that governmental capital should be invested on a large scale to combat the unemployment destitution of 1929. With that end in view, Walsh effectively argued that Congress should formally recognize the maintenance of full employment as a national policy, just as it had decreed as a national policy the right of farmers to parity of income with other groups. He was convinced that nothing contributed more to stable farm prosperity than the maintenance of full employment in the cities and the assurance of adequate purchasing power for both farm and factory products.

The senior Senator from Arizona [Mr. HAYDEN] and the senior Senator from Georgia [Mr. RUSSELL] served with Tom Walsh, and I know that they share the great regard and affection I had for him. The junior Senator from Alaska [Mr. GRUENING] was well acquainted with Tom Walsh. The senior Senator from Wyoming [Mr. O'MAHONEY] served on Senator Kendrick's staff during part of Mr. Walsh's tenure, and recently he called attention to another successful fight led by Tom Walsh. That occurred in 1925, when President Coolidge nominated Charles Beecher Warren, of Michigan, to be Attorney General. Senator Walsh opposed this nomination, not on partisan or personal grounds, but because Mr. Warren was closely associated with the activities of the Sugar Trust. Senator Walsh led the successful fight against confirmation of Mr. Warren's nomination.

Mr. President, in closing I wish to impart one further thought. Earlier this year Montana placed a statue of Charles M. Russell, our great cowboy-artist, in Statuary Hall. Montana is entitled to have one more of its citizens memorialized here in the Capitol. It is up to the

Public Law 86-70
86th Congress, H. R. 7120
June 25, 1959

AN ACT

To amend certain laws of the United States in light of the admission of the State of Alaska into the Union, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Omnibus Act".

Alaska Omni-
bus Act.

FEDERAL JURISDICTION

SEC. 2. (a) Section 4 of the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, is amended by striking out the words "all such lands or other property, belonging to the United States or which may belong to said natives", and inserting in lieu thereof the words "all such lands or other property (including fishing rights), the right or title to which may be held by said natives or is held by the United States in trust for said natives".

48 USC prec.
21 note.

(b) Section 6(e) of said Act is amended by striking out the word "legislative" and inserting in lieu thereof the word "calendar".

72 Stat. 340.
48 USC prec.
21 note.

TERMINATION OF APPLICATION OF CERTAIN FEDERAL LAWS

SEC. 3. Any Territorial law, as that term is defined in section 8(d) of the Act of July 7, 1958 (72 Stat. 339, 344), providing for the admission of the State of Alaska into the Union—

48 USC prec.
21 note.

(a) which provides for the regulation of commerce within Alaska by an agency of the United States, and

(b) the application of which to the State of Alaska is continued solely by reason of such section 8(d), shall cease to apply to the State of Alaska on June 30, 1961, or on the effective date of any law enacted by the Legislature of the State of Alaska which modifies or changes such Territorial law, whichever occurs first.

SUGAR ACT

SEC. 4. Section 101 of the Sugar Act of 1948, as amended (7 U.S.C., supp. V, sec. 1101), is further amended by adding thereto a new subsection, to be designated subsection "(o)" and to read as follows:

61 Stat. 922.

"(o) The term 'continental United States' means the 49 States and the District of Columbia."

73 Stat. 141.

SOIL BANK ACT

73 Stat. 142.

SEC. 5. Section 113 of the Soil Bank Act (7 U.S.C., supp. V, sec. 1837), is amended to read as follows: "This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term 'State' includes Hawaii, Puerto Rico, and the Virgin Islands."

70 Stat. 195.

ARMED FORCES

SEC. 6. (a) Title 10, United States Code, section 101(2), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii".

70A Stat. 3.

(b) Title 10, United States Code, sections 802(11) and 802(12), are each amended by striking out the words "that part of Alaska east of longitude 172 degrees west,".

70A Stat. 37,
38.

70A Stat. 148.

(c) Title 10, United States Code, section 2662(c), is amended by striking out the word "Alaska,".

NATIONAL BANK ACT

66 Stat. 314.

SEC. 7. Section 5192 of the Revised Statutes, as amended (12 U.S.C. 144), is further amended by striking out the words "in Alaska or".

FEDERAL RESERVE ACT

38 Stat. 251.

SEC. 8. (a) Section 1 of the Federal Reserve Act, as amended (12 U.S.C. 221), is further amended by deleting the period at the end of such section and inserting in lieu thereof the following: "; the term 'the continental United States' means the States of the United States and the District of Columbia."

38 Stat. 270.

(b) Section 19 of the Federal Reserve Act, as amended (12 U.S.C. 466), is further amended by striking the words "in Alaska or".

HOME LOAN BANK BOARD

47 Stat. 725.

SEC. 9. (a) Paragraph (3) of section 2 of the Federal Home Loan Bank Act, as amended (12 U.S.C. 1422(3)), is further amended by striking out the words "Territories of Alaska and Hawaii" and inserting in lieu thereof the words "Territory of Hawaii".

48 Stat. 134.

(b) Section 7 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1466), is further amended by striking out the words "continental United States, to the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "continental United States (including Alaska), to the Territory of Hawaii".

NATIONAL HOUSING ACT

SEC. 10. The National Housing Act is amended by—

66 Stat. 603;

(a) striking out the word "Alaska," in sections 9, 201(d), 207(a)(7), 601(d), 713(q), and 801(g) (12 U.S.C., secs. 1706d, 1707(d), 1713(a)(7), 1736(d), 1747(q); supp. V, sec. 1748(g));

55 Stat. 61, 62,

55; 66 Stat. 603;

69 Stat. 646.

70 Stat. 1109.

64 Stat. 53.

(b) striking out the words "the Territory of Alaska," in section 207(c)(2) (12 U.S.C., supp. V, sec. 1713(c)(2)), and inserting the word "Alaska" in lieu thereof;

63 Stat. 57.

(c) by striking out the words "the Territory of Alaska or in Guam" in section 214 (12 U.S.C., supp. V, sec. 1715d; 48 U.S.C., supp. V, sec. 484d), and inserting the words "Alaska, Guam," in lieu thereof; and

73 Stat. 142.

73 Stat. 143.

63 Stat. 570.

(d) striking out the word "Territory" in the two places where it appears in section 806 (12 U.S.C., supp. V, sec. 1748e), and inserting the word "State" in lieu thereof.

COAST GUARD

63 Stat. 545.

SEC. 11. Title 14, United States Code, section 634(b), is amended by striking out the words "and for the territory of" in both places where they appear therein.

SECURITIES AND EXCHANGE COMMISSION

48 Stat. 74.

SEC. 12. (a) Paragraph (6) of section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b(6)), is further amended by striking out the word "Alaska,".

48 Stat. 884.

(b) Paragraph (16) of section 3(a) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c(a)(16)), is further amended by striking out the word "Alaska,".

(c) Paragraph (18) of section 202(a) of the Investment Advisers Act of 1940, as amended (15 U.S.C. 80b-2(a)(18)), is further amended by striking out the word "Alaska," 54 Stat. 849.

(d) Paragraph (37) of section 2(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-2(a)(37)), is further amended by striking out the word "Alaska," 54 Stat. 795.

(e) Paragraph (1) of section 6(a) of the Investment Company Act of 1940, as amended (15 U.S.C. 80a-6(a)(1)), is further amended by striking out the word "Alaska," 54 Stat. 800.

SOIL CONSERVATION

SEC. 13. (a) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C., supp. V, sec. 590h(b)), is further amended by inserting, immediately following the words "continental United States", the words ", except in Alaska". 52 Stat. 31.

(b) Section 17(a) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590q(a)), is further amended by striking out the words "the United States, the Territories of Alaska and Hawaii" and inserting in lieu thereof the words "the States, the Territory of Hawaii", and by striking out the word "Alaska" the second time it appears therein. 49 Stat. 1151.

BALD EAGLES

SEC. 14. Section 1 of the Act of June 8, 1940 (16 U.S.C. 668), is amended by striking out the words "except the Territory of Alaska,". 54 Stat. 250.

WILDLIFE RESTORATION

SEC. 15. Section 8(a) of the Act of September 2, 1937, as amended (16 U.S.C., supp. V, sec. 669g-1), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,". 55 Stat. 633; 64 Stat. 399; 70 Stat. 473.

FISH RESTORATION

SEC. 16. Section 12 of the Act of August 9, 1950, as amended (16 U.S.C., supp. V, sec. 777k), is further amended by striking out the words "the Alaska Game Commission," "said Territory of Alaska," "not exceeding \$75,000 for Alaska, and", and "the Territory of Alaska,". 64 Stat. 434. 70 Stat. 473.

CRIMINAL CODE

SEC. 17. (a) Title 18, United States Code, section 5024, is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska". 73 Stat. 143. 73 Stat. 144.

(b) Section 6 of the Act of August 25, 1958 (72 Stat. 845, 847), is amended by striking out the words "other than Alaska" and inserting in lieu thereof the words "including Alaska". 64 Stat. 1089. 18 USC 4208 note.

(c) Subsections (a) and (b) of this section shall be effective on July 7, 1961, or on the date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first. 28 USC 81A note.

(d) Title 18, United States Code, section 1385, is amended by deleting the last sentence thereof. 70A Stat. 626.

EDUCATION

SEC. 18. (a) (1) Subsection (a) of section 103 of the National Defense Education Act of 1958 (72 Stat. 1580, 1582), relating to definition of State, is amended by striking out "Alaska," each time it appears.

(2) Paragraph (3) (B) of section 302(a) of such Act (72 Stat. 1580, 1588), relating to definition of continental United States for purposes of allotments for science, mathematics and modern foreign language instruction equipment, is amended by striking out "does not include Alaska" and inserting in lieu thereof "includes Alaska".

(3) Section 1008 of such Act (72 Stat. 1580, 1605), relating to allotments to territories, is amended by striking out "Alaska,".

(b) (1) Section 4 of the Act of February 23, 1917 (20 U.S.C. 14), relating to allotments for teacher-training, is amended by striking out "\$90,000" and inserting in lieu thereof "\$98,500". The proviso in the last paragraph of section 5 of such Act (20 U.S.C. 16) and so much of section 12 of such Act (20 U.S.C. 22) as follows the last semicolon shall not be applicable to Alaska prior to the third fiscal year which begins after the enactment of this Act.

(2) Paragraph (1) of section 2 of the Vocational Education Act of 1946 (20 U.S.C. 15i), relating to definition of States and Territories is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

(3) Subsection (e) of section 210 (20 U.S.C., supp. V, sec. 15jj(e)), and subsection (a) of section 307 of such Act (72 Stat. 1580, 1600), relating to definition of State, are each amended by striking out "Alaska,".

(c) Paragraph (13) of section 15 of the Act of September 23, 1950, as amended (72 Stat. 548, 558), relating to definition of State, is amended by striking out "Alaska,".

(d) (1) The material in the parentheses in the first sentence of subsection (d) of section 3 of the Act of September 30, 1950, as amended, relating to determination of local contribution rate, is amended to read: "(other than a local educational agency in Hawaii, Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency)".

(2) The fourth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the first time it appears in such sentence. The fifth sentence of such subsection is amended by inserting "(including Alaska)" after "continental United States" the second time it appears in such sentence.

(3) The last sentence of such subsection is amended by striking out "Alaska," and by inserting after "the Virgin Islands," the following: "or in any State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency,".

(4) Paragraph (8) of section 9 of such Act (20 U.S.C., supp. V, sec. 244(8)), relating to definition of State, is amended by striking out "Alaska,".

IMPORTATION OF MILK AND CREAM

SEC. 19. Subsection (b) of section 9 of the Act of February 15, 1927 (21 U.S.C. 149(b)), is amended by inserting the words "including Alaska" immediately following the words "continental United States".

OPIUM POPPY CONTROL

SEC. 20. Section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C. 188k) is amended by deleting therefrom the words "the Territory of Alaska,". 56 Stat. 1048.

HIGHWAYS

SEC. 21. (a) The Secretary of Commerce shall transfer to the State of Alaska by appropriate conveyance without compensation, but upon such terms and conditions as he may deem desirable, all lands or interests in lands, including buildings and fixtures, all personal property, including machinery, office equipment, and supplies, and all records pertaining to roads in Alaska, which are owned, held, administered by, or used by the Secretary in connection with the activities of the Bureau of Public Roads in Alaska, (i) except such lands or interests in lands, including buildings and fixtures, personal property, including machinery, office equipment, and supplies, and records as the Secretary may determine are needed for the operations, activities, and functions of the Bureau of Public Roads in Alaska after such transfer, including services or functions performed pursuant to section 4 of this Act; and (ii) except such lands or interests in lands as he or the head of any other Federal agency may determine are needed for continued retention in Federal ownership for purposes other than or in addition to road purposes.

(b) Notwithstanding any other provision of this section, any contract entered into by the Federal Government in connection with the activities of the Bureau of Public Roads in Alaska which has not been completed on the date of the transfer provided under subsection (a) hereof may be completed according to the terms thereof.

(c) (1) The State of Alaska shall be responsible for the maintenance of roads, including bridges, tunnels, and ferries, transferred to it under subsection (a) of this section, as long as any such road is needed for highway purposes.

(2) Federal-aid funds apportioned to Alaska under title 23, United States Code, for fiscal year 1960 and prior fiscal years, and unobligated on the date of enactment of this Act, may be used for maintenance of highways on the Federal-aid systems in Alaska. 72 Stat. 885.

(d) Effective July 1, 1959, the following provisions of law are repealed: Repeals.

(1) Title 23, United States Code, section 103(f); 72 Stat. 889.

(2) Title 23, United States Code, section 116(d); 72 Stat. 897.

(3) Title 23, United States Code, section 119; 72 Stat. 898.

(4) Title 23, United States Code, section 120(h), except that the 72 Stat. 899.

portion of the first sentence thereof relating to the percentage of funds to be contributed by Alaska shall continue to apply to funds apportioned to Alaska for fiscal year 1960 and prior fiscal years; 73 Stat. 145.

(5) Sections 107 (b) and (d) of the Federal-Aid Highway Act of 1956 (70 Stat. 374, 377, 378); 73 Stat. 146.

(6) Section 2 of the Act of January 27, 1905 (33 Stat. 616), as amended (48 U.S.C. 322 and the following); and 23 USC 156.

(7) The Act of June 30, 1932 (47 Stat. 446), as amended (48 U.S.C. 321(a) and the following).

(e) Effective on July 1, 1959, the following provisions of law are amended:

(1) The definition of the term "State" in title 23, United States Code, section 101(a), is amended to read as follows: 72 Stat. 887.

"The term 'State' means any one of the forty-nine States, the District of Columbia, Hawaii, or Puerto Rico.";

(2) Title 23, United States Code, section 104(b), is amended by deleting the phrase "except that only one-third of the area of Alaska 72 Stat. 889.

shall be included" where it appears in paragraphs (1) and (2) of said section 104(b);

72 Stat. 896.

(3) Title 23, United States Code, section 116(a), is amended by deleting the phrase "Except as provided in subsection (d) of this section," and by capitalizing the word "it" immediately following such phrase; and

72 Stat. 898.

(4) Title 23, United States Code, section 120(a), is amended by deleting the phrase "subsections (d) and (h)" and by inserting in lieu thereof the phrase "subsection (d)".

INTERNAL REVENUE

68A Stat. 401.

SEC. 22. (a) Section 2202 of the Internal Revenue Code of 1954 (relating to missionaries in foreign service), and sections 3121(e) (1), 3306(j), 4221(d) (4), and 4233(b) of such Code (each relating to a special definition of "State") are amended by striking out "Alaska,".

68A Stat. 424,

453; 72 Stat.

1283; 68A Stat.

501.

70 Stat. 644.

(b) Section 4262(c) (1) of the Internal Revenue Code of 1954 (definition of "continental United States") is amended to read as follows:

"(1) CONTINENTAL UNITED STATES.—The term 'continental United States' means the District of Columbia and the States other than Alaska."

68A Stat. 534.

(c) Section 4502(5) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Hawaii and Alaska" and by inserting in lieu thereof "the Territory of Hawaii".

68A Stat. 568.

(d) Section 4774 of the Internal Revenue Code of 1954 (relating to territorial extent of law) is amended by striking out "the Territory of Alaska,".

68A Stat. 904.

(e) Section 7621(b) of the Internal Revenue Code of 1954 (relating to boundaries of internal revenue districts) is amended to read as follows:

"(b) BOUNDARIES.—For the purpose mentioned in subsection (a), the President may subdivide any State, Territory, or the District of Columbia, or may unite into one district two or more States or a Territory and one or more States."

68A Stat. 908.

(f) Section 7653(d) of the Internal Revenue Code of 1954 is amended by striking out "its Territories or possessions" and inserting in lieu thereof "its possessions or the Territory of Hawaii".

68A Stat. 911.

(g) Section 7701(a) (9) of the Internal Revenue Code of 1954 (relating to definition of "United States") is amended by striking out "the Territories of Alaska and Hawaii" and inserting in lieu thereof "the Territory of Hawaii".

73 Stat. 146.

73 Stat. 147.

68A Stat. 911.

(h) Section 7701(a) (10) of the Internal Revenue Code of 1954 (relating to definition of State) is amended by striking out "Territories" and inserting in lieu thereof "Territory of Hawaii".

Effective date.

(i) The amendments contained in subsections (a) through (h) of this section shall be effective as of January 3, 1959.

COURTS

Survey.

SEC. 23. (a) The Judicial Conference of the United States, with the assistance of the Administrative Office of the United States Courts, shall conduct a study, including a field survey, of the Federal judicial business arising in the State of Alaska with a view toward directing the United States Court of Appeals for the Ninth Circuit to hold such terms of court in Anchorage or such other Alaskan cities as may be necessary for the prompt and efficient administration of justice.

72 Stat. 348.

(b) Title 28, United States Code, section 81A, is amended by inserting the word "Ketchikan," immediately following the word "Juneau,".

(c) Such authority as has been exercised by the Attorney General heretofore, with regard to the Federal court system in Alaska, pursuant to section 30 of the Act of June 6, 1900 (48 U.S.C. 25), shall continue to be exercised by him after the court created by section 12(b) of the Act of July 7, 1958 (72 Stat. 339, 348), providing for the admission of the State of Alaska into the Union, is established. 31 Stat. 332.
72 Stat. 348.
28 USC 81A.

(d) All balances of public moneys received by the clerks of each division of the District Court for the Territory of Alaska pursuant to section 10 of the Act of June 6, 1900, as amended (48 U.S.C. 107), which are on hand after all payments ordered by that court and approved by the Administrative Office of the United States Courts shall have been made, shall be covered into the Treasury of the United States as required by law, and the Secretary of the Treasury shall pay the amounts so covered, which are hereby appropriated, to the State of Alaska. 31 Stat. 325.

VOCATIONAL REHABILITATION ACT

SEC. 24. (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act (29 U.S.C., supp. V, sec. 41(g)), relating to definition of State, is amended by striking out "Alaska,". 68 Stat. 661.

(b) (1) Subsection (i) and paragraph (1) of subsection (h) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)". Post, p. 153.

(2) Paragraph (1) of such subsection (h) is further amended by striking out "Alaska,".

(3) Such subsection (i) is further amended by striking out "Hawaii and Alaska" in clause (B) and inserting in lieu thereof "Hawaii".

GOLD RESERVE ACT

SEC. 25. Section 15 of the Gold Reserve Act of 1934, as amended (31 U.S.C. 444), is further amended by striking out the words "the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia". 48 Stat. 344.

SILVER PURCHASE ACT

SEC. 26. Section 10 of the Silver Purchase Act of 1934 (31 U.S.C. 448b), is amended by striking out the words "the District of Columbia, and the Territory of Alaska" and inserting in lieu thereof the words "and the District of Columbia". 48 Stat. 1181.

NATIONAL GUARD

SEC. 27. Title 32, United States Code, section 101(1), is amended by striking out the words "Alaska, Hawaii," and inserting in lieu thereof the word "Hawaii". 73 Stat. 147.
73 Stat. 148.
70A Stat. 596.

WATER POLLUTION CONTROL ACT

SEC. 28. (a) Paragraph (1) of section 5(h) of the Federal Water Pollution Control Act (33 U.S.C., supp. V, sec. 466d(h)(1)), relating to Federal share for purposes of matching for program operation, is amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)" and by striking out, in clause (B), "and Alaska". 62 Stat. 1158.

(b) Subsection (d) of section 11 of such Act (33 U.S.C., supp. V, sec. 466j(d)), is amended by striking out "Alaska,". 70 Stat. 506.

VETERANS' ADMINISTRATION

- 72 Stat. 1170. SEC. 29. (a) Title 38, United States Code, section 903(b), is amended by striking out the words “, or to the place of burial within Alaska if the deceased was a resident of Alaska who had been brought to the United States as a beneficiary of the Veterans' Administration for hospital or domiciliary care”; by inserting the word “continental” immediately before the words “United States” the second time they appear in such section; and by inserting, immediately following the words “continental United States” in both places where they appear in such section, the parenthetical phrase “(including Alaska)”.
- 72 Stat. 1220. (b) Title 38, United States Code, section 2007(c), is amended by striking out the word “Alaska,”.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

- 63 Stat. 378. SEC. 30. (a) Subsection (f) of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(f)), is amended by striking out the words “, Hawaii, Alaska,” and inserting in lieu thereof the words “(including Alaska), Hawaii,”.
- 69 Stat. 722. (b) Subsection (a) of section 702 of such Act (40 U.S.C., supp. V, sec. 522(a)), is amended by striking out the words “Territories of Alaska and Hawaii” and inserting in lieu thereof the words “Territory of Hawaii”.

PUBLIC HEALTH SERVICE ACT

- 58 Stat. 682. SEC. 31. (a) Subsection (f) of section 2 of the Public Health Service Act (42 U.S.C. 201(f)), relating to definition of State, is amended by striking out “Hawaii, Alaska,” and inserting in lieu thereof “Hawaii,” and by striking out “, the District of Columbia, or Alaska” and inserting in lieu thereof “or the District of Columbia”.
- Repeal. (b)(1) Effective July 1, 1959, section 371 of the Public Health Service Act, as added by the Alaska Mental Health Enabling Act (42 U.S.C., supp. V, sec. 273), is repealed.
- 70 Stat. 709. (2) Subsection (a) of section 372 of such Act (42 U.S.C., supp. V, sec. 274(a)), is amended by striking out “the Territory of”.
- 70 Stat. 710. (3) Subsections (b), (c), and (e) of such section are each amended by striking out “the Territory” each time it appears and inserting in lieu thereof “Alaska”.
- 73 Stat. 148. (4) Such subsection (e) is further amended by striking out “the Territory's” and inserting in lieu thereof “Alaska's”.
- 73 Stat. 149. (c)(1) Subsection (a) of section 631 of such Act (42 U.S.C., supp. V, sec. 291i(a)), relating to definition of allotment percentage for purposes of allotments for construction, is amended by striking out “(excluding Alaska)” and inserting in lieu thereof “(including Alaska)” and by striking out “for Alaska and Hawaii shall be 50 per centum each” in clause (2) and inserting in lieu thereof “for Hawaii shall be 50 per centum”.
- 60 Stat. 1046. (2) Subsection (d) of such section, relating to definition of State, is amended by striking out “Alaska,”.

SOCIAL SECURITY ACT

- 42 USC 1301. SEC. 32. (a) Paragraph (8) of section 1101(a) of the Social Security Act (72 Stat. 1013, 1050), relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out “Alaska and” in clause (ii) of subparagraph (A) and by striking out “(excluding Alaska)” in subparagraphs (A) and (B) and inserting in lieu thereof “(including Alaska)”.

(b)(1) Subsection (a) of section 524 of the Social Security Act (72 Stat. 1013, 1054), relating to definition of allotment percentage for purposes of allotments for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (B).

(2) Subsection (b) of such section, relating to definition of Federal share for purposes of matching for child welfare services, is amended by striking out "50 per centum in the case of Alaska and" in clause (2).

(3) Such subsections (a) and (b), and subsection (c) of such section, relating to promulgation of Federal shares and allotment percentages, are each amended by striking out "(excluding Alaska)" and inserting in lieu thereof "(including Alaska)".

(c)(1) The last sentence of section 202(i) of the Social Security Act (42 U.S.C., supp. V, sec. 402(i)), is amended by striking out "forty-eight" and inserting in lieu thereof "forty-nine". 67 Stat. 580.

(2) Subsections (h) and (i) of section 210 of such Act (42 U.S.C. 64 Stat. 500. 410(h), (i)), relating to definitions of State and United States for purposes of old-age, survivors, and disability insurance, are each amended by striking out "Alaska,".

(d)(1) Paragraph (1) of section 1101(a) of the Social Security Act (42 U.S.C., supp. V, sec. 1301(a)(1)), relating to definition of State, is amended by striking out "Alaska, Hawaii," and inserting in lieu thereof "Hawaii". 49 Stat. 647.

(2) Paragraph (2) of such section (42 U.S.C. 1301(a)(2)), relating to definition of United States, is amended by striking out "Alaska,".

CONGRESSIONAL RECORD

SEC. 33. Section 73 of the Act of January 12, 1895, as amended (44 U.S.C., supp. V, sec. 183), is further amended by striking out the word "Alaska,". 49 Stat. 1549.

FEDERAL REGISTER

SEC. 34. Section 8 of the Federal Register Act (44 U.S.C. 308) is amended by striking out the parenthetical phrase "(not including Alaska)" and inserting in lieu thereof the parenthetical phrase "(including Alaska)". 49 Stat. 502.

AIRPORTS

SEC. 35. (a) The Administrator of the Federal Aviation Agency is authorized and directed to transfer to the State of Alaska by appropriate conveyance, and subject to such terms and conditions as he may deem appropriate, all the right, title, and interest of the United States in and to the public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), including all the land, buildings, structures, facilities, equipment, and other personal property appurtenant thereto and necessary for the operation thereof, except for such property, real or personal, as the Administrator may determine is needed for the performance of functions of the United States in Alaska after such transfer. Such transfer shall be without monetary consideration to the United States. 73 Stat. 149. 73 Stat. 150.

(b) Notwithstanding any other provisions of this section, any contract entered into by the Federal Aviation Agency in connection with its activities with respect to public airports constructed and operated pursuant to the Act of May 28, 1948, as amended (48 U.S.C. 485 and the following), which has not been completed by the date of enactment of this Act, may be completed according to the terms thereof. 62 Stat. 277.

SELECTIVE SERVICE

62 Stat. 624. SEC. 36. Section 16(b) of the Universal Military Training and Service Act, as amended (50 U.S.C., app., sec. 466(b)), is further amended by striking out the word "Alaska,".

REAL PROPERTY TRANSACTIONS

70A Stat. 636. SEC. 37. Section 43(c) of the Act of August 10, 1956 (50 U.S.C., app., supp. V, sec. 2285(c)), is amended by striking out the word "Alaska,".

RECREATION FACILITIES

Repeal. SEC. 38. Section 2 of the Act of May 4, 1956 (70 Stat. 130), is hereby repealed. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1960, such sums as may be necessary to complete the construction of facilities described in section 1 of such Act, as amended by the Act of August 30, 1957 (71 Stat. 510), if construction was begun prior to June 30, 1959, and to maintain the facilities pending their transfer pursuant to such section.

AIRCRAFT LOAN GUARANTEES

49 USC 1324 note. SEC. 39. Section 3 of the Act of September 7, 1957 (71 Stat. 629), is amended by striking out the words "Territory of Alaska" and inserting in lieu thereof the words "State of Alaska".

DEFENSE BASE ACT

SEC. 40. (a) Paragraphs (2) and (3) of section 1(a) of the Defense Base Act, as amended (55 Stat. 622; 42 U.S.C. 1651 and the following), are amended by striking out "Alaska;" in the parenthetical phrase in each paragraph.

(b) Paragraph (6) of section 1(a) of that Act is amended by striking out "or in Alaska or the Canal Zone".

(c) Section 1(b) of that Act is amended by striking the period at the end of paragraph (3), inserting in lieu thereof a semicolon, and adding the following paragraph: "(4) the term 'continental United States' means the States and the District of Columbia."

73 Stat. 150.

73 Stat. 151.

TIMBER REMOVAL

SEC. 41. The Act of March 3, 1891 (26 Stat. 1093), as amended (16 U.S.C. 607), is further amended by deleting the words "Territory of Alaska" and the words "or Territory" where they there appear and by inserting the word "Alaska," after the words "In the State of".

WAR HAZARDS COMPENSATION ACT

SEC. 42. (a) Paragraphs (2), (3), and (5) of section 101(a) of the War Hazards Compensation Act, as amended (56 Stat. 1028; 42 U.S.C. 1701 and the following), are amended by striking out "or in Alaska or the Canal Zone".

(b) Section 104 of that Act is amended by adding the following new subsection at the end thereof:

"(c) The provisions of this section shall not apply with respect to benefits on account of any injury or death occurring within any State."

(c) Section 201 of that Act is amended by adding the following new subsection at the end thereof:

"(f) the term 'continental United States' means the States and the District of Columbia."

BUY AMERICAN ACT

SEC. 43. Section 1(b) of Title III of the Act of March 3, 1933 (41 U.S.C. 10c(b)), is amended by striking out the word "Alaska," 47 Stat. 1520.

TRANSITIONAL GRANTS

SEC. 44. (a) In order to assist the State of Alaska in accomplishing an orderly transition from Territorial status to statehood, and in order to facilitate the assumption by the State of Alaska of responsibilities hitherto performed in Alaska by the Federal Government, there are hereby authorized to be appropriated to the President, for the purpose of making transitional grants to the State of Alaska, the sum of \$10,500,000 for the fiscal year ending June 30, 1960; the sum of \$6,000,000 for each of the fiscal years ending June 30, 1961, and June 30, 1962; and the sum of \$3,000,000 for each of the fiscal years ending June 30, 1963, and June 30, 1964.

(b) The Governor of Alaska may submit to the President a request that a Federal agency continue to provide services or facilities in Alaska for an interim period, pending the provision of such services or facilities by the State of Alaska. Such interim period shall not extend beyond June 30, 1964. In the event of such request, and in the event of the approval thereof by the President, the President may allocate, at his discretion, to such agency the funds necessary to finance the provision of such services or facilities. Such funds shall be allocated from appropriations made pursuant to subsection (a) hereof, and the amount of such funds shall be deducted from the amount of grants available to the State of Alaska pursuant to such subsection. Interim services by U.S. agency.

(c) After the transfer or conveyance to the State of Alaska of any property or function pursuant to the Act of July 7, 1958 (72 Stat. 339), providing for the admission of the State of Alaska into the Union, or pursuant to this Act or any other law, and until June 30, 1964, the head of the Federal agency having administrative jurisdiction of such property prior to its transfer or conveyance may contract with the State of Alaska for the performance by such agency, on a reimbursable basis, of some or all of the functions authorized to be performed by it in Alaska immediately preceding such conveyance or transfer. 48 USC prec. 21 note.

TRANSFER OF PROPERTY

73 Stat. 151.

73 Stat. 152.

SEC. 45. (a) If the President determines that any function performed by the Federal Government in Alaska has been terminated or curtailed by the Federal Government and that performance of such function or substantially the same function has been or will be assumed by the State of Alaska, the President may, until July 1, 1964, in his discretion, transfer and convey to the State of Alaska, without reimbursement, any property or interest in property, real or personal, situated in Alaska which is owned or held by the United States in connection with such function, the assumption of which function is pursuant to this Act or the Act of July 7, 1958 (72 Stat. 339). 48 USC prec. 21 note.

(b) Structures and improvements of block 32 of the city of Juneau granted to the State of Alaska by section 6(c) of the Act providing for the admission of Alaska into the Union (72 Stat. 339, 340), shall include all furnishings and equipment in the structure known as the Governor's mansion, or used in the operation or maintenance thereof. 48 USC prec. 21 note.

CLAIMS COMMISSION

SEC. 46. (a) In the event that any disputes arise between the United States and the State of Alaska prior to January 1, 1965, concerning the transfer, conveyance, or other disposal of property to the State of Alaska pursuant to section 6(e) of the Act of July 7, 1958 (72 Stat. 339, 340), providing for the admission of the State of Alaska into the Union, or pursuant to this Act, the President is authorized (1) to appoint by and with the advice and consent of the Senate a temporary commission of three persons, to consider, ascertain, adjust, determine, and settle such disputes, and (2) to make such rules and regulations as may be necessary to establish such temporary commission or as may be necessary to terminate such temporary commission at the conclusion of its duties. In carrying out its duties under this section, such commission may hold such hearings, take such testimony, sit and act at such times and places, and incur such expenditures as the commission deems necessary. No commission shall be appointed under authority of this subsection after June 30, 1965.

(b) The commission may, without regard to the civil service laws and the Classification Act of 1949, employ and fix the compensation of such employees as it deems necessary to carry out its duties under this section. The commission is authorized to use the facilities, information, and personnel of the departments, agencies, and establishments of the executive branch of the United States Government which it deems necessary to carry out its duties; and each such department, agency, and instrumentality is authorized to furnish such facilities, information, and personnel to the commission upon request made by the commission. The commission shall reimburse each such department, agency, or instrumentality for the services of any personnel utilized. The commission may establish such procedures, rules, and regulations as may be necessary to carry out its duties under this section.

(c) No member of such commission shall be an officer or employee of the United States or of the State of Alaska. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission. Each member of the commission shall be paid compensation at the rate of \$50 per day for each day spent in the work of the commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance in accordance with the provisions of the Travel Expense Act of 1949, as amended when away from his usual place of residence.

(d) There are hereby authorized to be appropriated such sums as may be necessary to enable the commission to perform its duties under this section.

EFFECTIVE DATES

SEC. 47. (a) The amendments made by paragraph (2) of subsection (a) of section 18, by subsection (a) of section 28, by paragraph (1) of subsection (c) of section 31, by subsections (a) and (b) of section 32, and, except as provided in subsection (c) of this section, by subsection (b) of section 24, shall be applicable in the case of promulgations of Federal shares, allotment percentages, allotment ratios, and Federal percentages, as the case may be, made after satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, and for this purpose such promulgations shall, before such data for the full period required by the applicable statutory provision as so amended are available from the Department of Commerce, be based on satisfactory data available from such

48 USC prec.
21 note.

63 Stat. 954.
5 USC 1071 note.

73 Stat. 152.
73 Stat. 153.

63 Stat. 166.
5 USC 835 note.

Department for such one full year or, when such data for a two-year period are available, for such two years.

(b) The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958, for fiscal years beginning July 1, 1959, and, in the case of allotments under section 302(a) of such Act, in the case of allotments based on allotment ratios, promulgated under such section 302(a), to which the amendment made by paragraph (2) of subsection (a) of section 18 of this Act is applicable.

Allotment
ratios.
72 Stat. 1588,
1592.
20 USC 442,
482.

(c)(1) The allotment percentage determined for Alaska under section 11(h) of the Vocational Rehabilitation Act, as amended by this Act, for the first, second, third, and fourth years for which the amendments made by this Act are applicable to such section shall be increased by 76 per centum, 64 per centum, 52 per centum, and 28 per centum, respectively, of the difference between such allotment percentage for the year involved and 75 per centum.

Allotment
percentage.
Ante, p.147.
29 USC 41.

(2) The Federal share for Alaska determined under section 11(i) of the Vocational Rehabilitation Act, as amended by this Act, for the first year for which the amendments made by this Act are applicable to such section shall be increased by 70 per centum of the difference between such Federal share for such year and 60 per centum.

Federal share.
Ante, p.147.
29 USC 41.

(3) If such first year for which such amendments made by this Act are applicable in any fiscal year ending prior to July 1, 1962, the adjusted Federal share for Alaska for such year for purposes of section 2(b) of the Vocational Rehabilitation Act shall, notwithstanding the provisions of paragraph (3)(A) of such section 2(b), be the Federal share determined pursuant to paragraph (2) of this subsection.

68 Stat. 653.
29 USC 32.

(d) The amendments made by paragraphs (2) and (3) of subsection (b), by subsection (c), and by paragraph (4) of subsection (d) of section 18; by subsection (a) of section 24; by subsection (b) of section 28; by subsection (a), by subparagraphs (2), (3), and (4) of subsection (b), and by paragraph (2) of subsection (c) of section 31; by paragraph (2) of subsection (c) and by subsection (d) of section 32; and, except as provided in subsection (b) of this section by paragraph (1) of subsection (a) of section 18, shall be effective on January 3, 1959.

73 Stat. 153.
73 Stat. 154.

(e) The amendment made by paragraph (1) of subsection (c) of section 32 shall apply in the case of deaths occurring on or after January 3, 1959.

(f) The amendments made by paragraph (1) of subsection (b) and paragraphs (1), (2), and (3) of subsection (d) of section 18 shall be applicable for fiscal years beginning July 1, 1959.

(g) The amendments in sections 40 and 42 shall take effect when enacted: *Provided, however,* That with respect to injuries or deaths occurring on or after January 3, 1959, and prior to the effective date of these amendments, claims filed by employees engaged in the State of Alaska in any of the employments covered by the Defense Base Act (and their dependents) may be adjudicated under the Workmen's Compensation Act of Alaska instead of the Defense Base Act.

55 Stat. 622.
42 USC 1651-
1654.

DEFINITION OF "CONTINENTAL UNITED STATES"

SEC. 48. Whenever the phrase "continental United States" is used in any law of the United States enacted after the date of enactment of this Act, it shall mean the 49 States on the North American Continent and the District of Columbia, unless otherwise expressly provided.

OTHER SUBJECTS

SEC. 49. The amendment by this Act of certain statutes by deleting therefrom specific references to Alaska or such phrases as "Territory of Alaska" shall not be construed to affect the applicability or inapplicability in or to Alaska of other statutes not so amended.

SEPARABILITY

SEC. 50. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved June 25, 1959.

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